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TITLE 3—THE PRESIDENT

PROCLAMATION 2931

ACTIVATION AND OPERATION OF VESSELS FOR TRANSPORTATION OF SUPPLIES UNDER SECTION 5 OF THE INDIA EMERGENCY FOOD AID ACT OF 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 5 of the India Emergency Food Aid Act of 1951, approved June 15, 1951, provides that, notwithstanding the provisions of any other law, to the extent that the President, after consultation with appropriate Government officials and representatives of private shipping, finds and proclaims that private shipping is not available on reasonable terms and conditions for transportation of supplies made available under the said Act, the Reconstruction Finance Corporation is authorized and directed to make certain advances to the Department of Commerce as the President shall determine, for activation and operation of vessels for such transportation under the conditions specified in this said section 5; and

WHEREAS I have consulted with appropriate Government officials and representatives of private shipping concerning the availability on reasonable terms and conditions of private shipping for transportation of supplies made available under the said Act, as required by section 5 thereof; and

WHEREAS as a result of such consultation it appears that private shipping is not available on reasonable terms and conditions for transportation of supplies made available under the said Act; and

WHEREAS I accordingly deem it necessary and appropriate to exercise the authority set forth in section 5 of the said Act, in effectuation of the purposes of the Act:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the Constitution and the laws of the United States, including the said India Emergency Food Aid Act of 1951 (hereinafter referred to as the Act) and the act of August 8, 1950, c. 646, 64 Stat. 419, do find and proclaim as follows:

1. After consultation with appropriate Government officials and representatives of private shipping, I find and proclaim that private shipping is not available on reasonable terms and conditions for transportation of supplies made available under the India Emergency Food Aid Act of 1951.

2. The Reconstruction Finance Corporation is hereby authorized and directed to make advances not to exceed in the aggregate $20,000,000 to the Department of Commerce for activation and operation of vessels for such transportation, subject to the terms and conditions of the Act, and in the manner hereinafter specified.

3. The Director of the Bureau of the Budget is hereby authorized and directed to determine the amounts of such advances and the times when they may be made, subject to the limitations and provisions of section 5 of the Act, and the Reconstruction Finance Corporation shall make advances thereunder pursuant only to such determinations by the Director of the Bureau of the Budget.

4. The Secretary of Commerce may place such advances in any funds or accounts available for such purposes, and, pending repayment of such advances, may place receipts from vessel operations in such funds or accounts and may use such receipts for activating and operating vessels.

5. Each officer or agency mentioned in this proclamation may issue such regulations or orders as are deemed necessary to carry out his or its functions under the provisions of the Act and this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this nineteenth day of June in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-fifth.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 51-7312; Filed, June 22, 1951; 12:21 p. m.]

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

EXECUTIVE ORDER 10255

FURTHER EXEMPTION OF CLAUDE L. DRAPER FROM COMPULSORY RETIREMENT FOR AGE

WHEREAS Claude L. Draper, a member of the Federal Power Commission, was exempted by Executive Order No. 9780 of September 19, 1946, from compulsory retirement for age for an indefinite period of time not extending beyond the duration of his appointment or term of office; and

WHEREAS his present term of office will expire June 22, 1951; and

WHEREAS the said Claude L. Draper has been appointed for a further five-year term of office as a member of the Federal Power Commission; and

WHEREAS, in my judgment, the public interest requires that the said Claude L. Draper be further exempted from compulsory retirement as provided below:

NOW, THEREFORE, by virtue of the authority vested in me by section 204 of the act of June 30, 1932, 47 Stat. 404 (5 U. S. C. 715a), I hereby further exempt the said Claude L. Draper from compulsory retirement for age for a period of five years expiring June 22, 1956.

HARRY S. TRUMAN

THE WHITE HOUSE,
June 22, 1951.

[F. R. Doc. 51-7303; Filed, June 22, 1951; 12:11 p. m.]

RULES AND REGULATIONS

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

[Amdt. 3]

PART 5—DETERMINATION OF PARITY PRICES

DECIDUOUS AND OTHER FRUITS

"Determination of parity prices" (15 F. R. 837) as amended (15 F. R. 9374) and (16 F. R. 2865) is further amended as follows:

1. Section 5.4 is amended by deleting the commodities "apricots for canning," "figs for canning," "peaches for canning, Clingstone and Freestone," "olives canned," "pears for canning," "plums for canning," and "prunes for canning," and adding at the end of the paragraph headed *Deciduous and other fruits*, the following commodities: "apricots for processing (except dried)," "figs for processing (except dried)," "olives for processing (except crushed for oil)," "Clingstone peaches for processing (except dried)," "Freestone peaches for processing (except dried)," "pears for processing (except dried)," "plums for processing (except dried)," and "prunes for processing (except dried)."

2. Section 5.7 is amended by deleting the commodities "apricots for canning," "figs for canning," "peaches for canning, Clingstone and Freestone," "olives canned," "pears for canning," "plums for canning," and "prunes for canning," and adding at the end of the paragraph headed *Deciduous and other fruits*, the following commodities: "apricots for processing (except dried)," "figs for processing (except dried)," "olives for processing (except crushed for oil)," "Clingstone peaches for processing (except dried)," "Freestone peaches for processing (except dried)," "pears for processing (except dried)," "plums for processing (except dried)," and "prunes for processing (except dried)."

(Sec. 301, 52 Stat. 38, as amended; 7 U. S. C. 1301)

Done at Washington, D. C., this 19th day of June 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7190; Filed, June 22, 1951; 8:47 a. m.]

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 39—UNITED STATES STANDARDS FOR GRADES OF NONFAT DRY MILK SOLIDS

TEST METHODS; CORRECTION

In Federal Register document 51-6657, appearing in the issue for Friday, June 8, 1951, in the second column on page 5421, paragraph (b) (2) (i) of § 39.5 *Test methods* is corrected to read:

(2) *Roller process nonfat dry milk solids.* (i) Place 200 ml. of a hot (80°-90° C.) 10 percent sodium citrate solution in the mixing jar of a high speed mixer (such as, a Waring Blendor). Turn on the mixer and add 25 grams of roller process nonfat dry milk solids. Add approximately 0.5 ml. of diglycol laurate (defoaming agent). Mix for 30 seconds and filter (aspirator or pressure type filtering apparatus necessary) immediately through a 1¼" lintine disc (1⅛" filtering surface). Rinse mixing container with hot water, and pass all rinsings through the filter disc.

Done at Washington, D. C., this 19th day of June 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-7213; Filed, June 22, 1951; 8:54 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Plum Order 5, Amdt. 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing

agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of Tragedy plums grown in the State of California. *It is therefore ordered,* As follows:

The provisions of paragraph (b) (1) of § 936.401 (Plum Order 5) (16 F. R. 5832) shall, during the period beginning at 12:01 a. m., P. s. t., June 21, 1951, and ending at 12:01 a. m., P. s. t., October 2, 1951, read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 21, 1951, and ending at 12:01 a. m., P. s. t., October 2, 1951, no shipper shall ship from any shipping point during any day any package or container of Tragedy plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of fifteen (15) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 5 x 6 standard pack in a standard basket.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 20th day of June 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-7215; Filed, June 22, 1951; 8:54 a. m.]

[Plum Order 7]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.403 *Plum Order 7*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 24, 1951. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until June 19, 1951; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 19, 1951, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 23, 1951; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 24, 1951, and ending at 12:01 a. m., P. s. t., October 11, 1951, no shipper shall ship any package or container of Eldorado plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 5 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 5 x 5 standard pack in a standard basket if said quantity does not exceed eleven and eleven one hundredths (11.11) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 5 standard pack, as aforesaid. The aforesaid 4 x 5 standard pack and 5 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 5 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{11}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{9}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{7}{16}$ inches in diameter.

(5) As used in this section, the aforesaid 5 x 5 standard pack is defined more specifically as follows: (i) At least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{9}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{7}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{5}{16}$ inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plus, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 21st day of June 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-7277; Filed, June 22, 1951; 8:53 a. m.]

[Plum Order 8]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.404 *Plum Order 8*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 24, 1951. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until June 19, 1951; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 19, 1951, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 27, 1951; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 24, 1951, and ending at 12:01 a. m., P. s. t., October 11, 1951, no shipper shall ship any package or container of Gaviota plums unless:

(i) Such plums grade at least U. S. No. 1; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 4 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 4 x 5 standard pack in a standard basket if said quantity does not exceed two hundred (200) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 4 standard pack, as aforesaid. The aforesaid 4 x 4 standard pack and 4 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 4 x 4 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^{13}/_{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1^{11}/_{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1^{9}/_{16}$ inches in diameter.

(5) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1^{11}/_{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1^{9}/_{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1^{7}/_{16}$ inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal-State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in the amended marketing agreement and order shall, when used in this section, have the same meanings as when used in said amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753 as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 21st day of June 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-7278; Filed, June 22, 1951; 8:53 a. m.]

[Plum Order 9]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.405 *Plum Order 9*—(a) *Findings.* (1) Pursuant to the marketing

agreement, as amended, and Order No. 36, as amended (7 CFR Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 24, 1951. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until June 19, 1951; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 19, 1951, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 25, 1951; and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 24, 1951, and ending at 12:01 a. m., P. s. t., October 11, 1951, no shipper shall ship from any shipping point during any day any package or container of Wickson plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 4 standard pack in a standard basket.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 4 x 5 standard pack in a standard basket if said quantity does not exceed eleven and eleven one hundredths (11.11) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 4 standard pack, as aforesaid. The aforesaid 4 x 4 standard pack and 4 x 5 standard pack are defined more specifically in subparagraphs (4) and (5), respectively, of this paragraph.

(3) If any shipper, during any two (2) consecutive days of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the aggregate amount of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next succeeding calendar day in addition to the quantity of such plums of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such succeeding calendar day if there had been no undershipment during the two (2) preceding days.

(4) As used in this section, the aforesaid 4 x 4 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{13}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{11}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{9}{16}$ inches in diameter.

(5) As used in this section, the aforesaid 4 x 5 standard pack is defined more specifically as follows: (i) at least thirty-five (35) percent, by count, of the plums contained in such pack measure not less than $1\frac{11}{16}$ inches in diameter; (ii) at least ninety-five (95) percent, by count, of the plums contained in such pack measure not less than $1\frac{9}{16}$ inches in diameter; and (iii) no plums contained in such pack measure less than $1\frac{7}{16}$ inches in diameter.

(6) During the period set forth in subparagraph (1) of this paragraph, each shipper shall, prior to making each such shipment of plums, have the plums inspected by a duly authorized representative of the Federal State Inspection Service, heretofore designated by the Plum Commodity Committee and hereby approved: *Provided,* That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Plum Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(7) Terms used in this section shall have the same meaning as when used in the amended marketing agreement and order; the terms "U. S. No. 1," "standard pack," "serious damage," and "diameter" shall have the same meaning as set forth in the revised United States Standards for Plums and Prunes (fresh), 7 CFR 51.360; and the term "standard basket" shall have the same meaning as set forth in paragraph numbered 1 of section 828.1 of the Agricultural Code of California.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 21st day of June 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-7279; Filed, June 22, 1951; 8:54 a. m.]

[Lemon Reg. 387, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice and engage in public rule-making procedure (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as

amended, is insufficient; and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.494 (Lemon Regulation 387, 16 F. R. 5740) are hereby amended to read as follows:

(ii) District 2: 675 carloads.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 21st day of June 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-7280; Filed, June 22, 1951; 8:54 a. m.]

[Lemon Reg. 388]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.495 *Lemon Regulation 388*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on June 20, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 24, 1951, and ending at 12:01 a. m., P. s. t., July 1, 1951, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 700 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation No. 387 (16 F. R. 5740), and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended, 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 21st day of June 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-7281; Filed, June 22, 1951; 8:53 a. m.]

PART 958—IRISH POTATOES GROWN IN COLORADO

LIMITATION OF SHIPMENTS

§ 958.308 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958) regulating the handling of Irish potatoes grown in the State of Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the administrative committee for Area No. 3, established under said marketing agreement and order, and other available information, it is hereby found that such limitation of shipments as hereinafter provided will tend to effectuate the declared policies of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until thirty days after publication thereof in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) shipments of the 1951 crop Irish potatoes grown in the production area will have begun by the effective date of this section, (ii) more orderly marketing in the public interest than would otherwise prevail will be promoted by limiting shipments of potatoes on and after the effective date hereinafter provided in the manner set forth, (iii) compliance with this section will not require any preparation on the part of handlers which cannot be completed by such effective date, (iv) a reasonable time is permitted, under the circumstances, for such preparation, (v) the time intervening between the date when adequate information became available to the administrative committee for Area 3 to make its recommendation and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and (vi) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period beginning July 1, 1951, and ending May 31, 1952, both dates inclusive, no handler shall ship potatoes of any variety, grown in Area No. 3, as such area is defined in Marketing Agreement No. 97 and Order No. 58, which do not meet the requirements of Regulation No. 1 limiting shipments to U. S. No. 2, or better, grades (General Cull Regulation—published in the FEDERAL REGISTER, July 16, 1949; 14 F. R. 3979), and which are of sizes smaller than 2 inches minimum diameter or 4 ounces minimum weight, as such terms, grades, and sizes are defined in the U. S. Standards for Potatoes (7 CFR 51.366), including the tolerance set forth therein.

(2) During the period beginning July 1, 1951, and ending November 1, 1951, both dates inclusive, no handler shall ship (i) potatoes of the Russet Burbank variety grown in Area No. 3, as such area is defined in Marketing Agreement No. 97 and Order No. 58, which do not comply with the grade and size requirements set forth in subparagraph (1) of this paragraph and which are more than moderately skinned, which means that not more than 10 percent of the potatoes in any lot have more than ½ of the skin missing or feathered, as such terms are defined in the U. S. Standards for Potatoes; and (ii) potatoes of any variety, except the Russet Burbank variety, grown in Area No. 3, as such area is defined in Marketing Agreement No. 97 and Order No. 58, which do not comply with the grade and size requirements set forth in subparagraph (1) of this paragraph, and in which more than 20 percent of the potatoes in any lot have more than ½ of the skin missing or feathered, as such terms are defined in the U. S. Standards for Potatoes: *Provided*, That a total of not to exceed 100 hundredweight of potatoes of each producer may be handled without regard to the skinning requirements set forth in this

paragraph if the handler thereof reports to the administrative committee for Area No. 3, prior to such handling, the name and address of the producer of the potatoes shipped under this exemption.

(3) The requirements set forth in subparagraphs (1) and (2) of this paragraph shall not be applicable to (i) potatoes shipped for seed purposes which have been officially certified as seed potatoes by the official Colorado seed certifying agency and which are in containers bearing official Colorado seed certification tags, and (ii) potatoes shipped for consumption by a charitable institution, for relief purposes, or for manufacturing purposes for conversion into by-products.

(4) The terms used in this section shall have the same meanings as when used in Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 20th day of June 1951, to be effective July 1, 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 51-7214; Filed, June 22, 1951; 8:54 a. m.]

[Orange Reg. 377]

PART 966—ORANGES GROWN IN CALIFORNIA OR IN ARIZONA

LIMITATION OF SHIPMENTS

§ 966.523 *Orange Regulation 377*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended (7 CFR Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on June 21, 1951, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) Subject to the size requirements in Orange Regulation 372, as amended (7 CFR 966.518; 16 F. R. 4678, 5652), the quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning 12:01 a. m., P. s. t., June 24, 1951, and ending at 12:01 a. m., P. s. t., July 1, 1951, is hereby fixed as follows:

(i) *Valencia Oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 900 carloads;

(*c*) Prorate District No. 3: Unlimited movement;

(*d*) Prorate District No. 4: No movement.

(ii) *Oranges other than Valencia Oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: No movement;

(*d*) Prorate District No. 4: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," "Prorate District No. 3," and "Prorate District No. 4" shall each have the same meaning as given to the respective terms in § 966.107, as amended (15 F. R. 8712), of the current rules and regulations (7 CFR 966.103 et seq.), as amended (15 F. R. 8712).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Done at Washington, D. C., this 22d day of June 1951.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., P. d. s. t., June 24, 1951, to 12:01 a. m., P. d. s. t., July 1, 1951]

VALENCIA ORANGES

Prorate District No. 2

Handler	*Prorate base (percent)*
Total	100.0000
A. F. G. Alta Loma	.0745
A. F. G. Corona	.0433
A. F. G. Fullerton	.8997
A. F. G. Orange	.3759
A. F. G. Riverside	.1307
A. F. G. San Juan Capistrano	.6272
A. F. G. Santa Paula	.5081
Eadington Fruit Co., Inc	5.5841
Hazeltine Packing Co	.3583
Krinard Packing Co	.2090
Placentia Cooperative Orange Association	.5090
Placentia Pioneer Valencia Growers Association	.5998
Signal Fruit Association	.1005
Azusa Citrus Association	.5110
Covina Citrus Association	1.0783
Covina Orange Growers Association	.5336
Damerel-Allison Association	.7214
Glendora Citrus Association	.4101
Glendora Mutual Orange Association	.3369
Valencia Heights Orchard Association	.3979
Gold Buckle Association	.4552
La Verne Orange Association	.7036
Anaheim Valencia Orange Association	1.2966
Fullerton Mutual Orange Association	2.6692
La Habra Citrus Association	1.1260
Yorba Linda Citrus Association, The	.9879
Escondido Orange Association	2.3456
Alta Loma Heights Citrus Association	.0578
Citrus Fruit Growers	.1407
Etiwanda Citrus Fruit Association	.0322
Old Baldy Citrus Association	.1099
Rialto Heights Orange Growers	.0565
Upland Citrus Association	.3624
Upland Heights Orange Association	.1057
Consolidated Orange Growers	1.8327
Frances Citrus Association	1.1423
Garden Grove Citrus Association	1.7597
Goldenwest Citrus Association	1.7327
Irvine Valencia Growers	3.3814
Olive Heights Citrus Association	2.4400
Santa Ana-Tustin Mutual Citrus Association	.9156
Santiago Orange Growers Association	3.7403
Tustin Hills Citrus Association	1.9537
Villa Park Orchards Association	2.0595
Bradford Bros., Inc	.9094
Placentia Mutual Orange Association	3.7273
Placentia Orange Growers Association	3.2592
Yorba Orange Growers Association	.8347
Call Ranch	.0698
Corona Citrus Association	.4662
Jameson Co	.1313
Orange Heights Orange Association	.5916
Crafton Orange Growers Association	.2655
East Highlands Citrus Association	.0606
Redlands Heights Groves	.1980
Redlands Orangedale Association	.1649

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Rialto-Fontana Citrus Association	0.0961
Break & Son, Allen	.0462
Bryn Mawr Fruit Growers Association	.1055
Mission Citrus Association	.1477
Redlands Cooperative Fruit Association	.2617
Redlands Orange Growers Association	.1496
Redlands Select Groves	.2243
Rialto Orange Co	.1998
Southern Citrus Association	.1191
United Citrus Growers	.2168
Zilen Citrus Growers	.0378
Arlington Heights Citrus Co	.1160
Brown Estate, L. V. W	.1312
Gavilan Citrus Association	.1433
Highgrove Fruit Association	.0603
McDermott Fruit Co	.1236
Monte Vista Citrus Association	.2433
National Orange Co	.0500
Riverside Heights Orange Growers Association, The	.0328
Sierra Vista Packing Association	.0421
Victoria Ave. Citrus Association	.1937
Claremont Citrus Association	.1043
College Heights Orange and Lemon Association	.3526
Indian Hill Citrus Association	.2241
Pomona Fruit Growers Exchange	.3211
Walnut Fruit Growers Association	.5412
West Ontario Citrus Association	.1852
El Cajon Valley Citrus Association	.2031
Escondido Cooperative Citrus Association	.2922
San Dimas Orange Growers Association	.3193
Canoga Citrus Association	.9019
North Whittier Heights Citrus Association	.8171
San Fernando Heights Orange Association	.7760
Sierra Madre-Lamanda Citrus Association	.3349
Camarillo Citrus Association	1.3565
Fillmore Citrus Association	3.0907
Mupu Citrus Association	1.9435
Ojai Orange Association	.6706
Piru Citrus Association	2.1401
Rancho Sespe	.7858
Santa Paula Orange Association	1.0615
Tapo Citrus Association	.9785
Ventura County Citrus Association	.3777
Limoneira Co	.4070
East Whittier Citrus Association	.3552
Murphy Ranch Co	.8124
Anaheim Cooperative Orange Association	1.8205
Bryn Mawr Mutual Orange Association	.1427
Chula Vista Mutual Lemon Association	.0885
Euclid Ave., Orange Association	.5894
Foothill Citrus Union, Inc	.1208
Fullerton Cooperative Orange Association	.8997
Garden Grove Orange Cooperative, Inc	1.2806
Golden Orange Groves, Inc	.1771
Highland Mutual Groves, Inc	.0091
Index Mutual Association	.4203
La Verne Cooperative Citrus Association	1.7202
Olive Hillside Groves, Inc	.5744
Orange Cooperative Citrus Association	1.9607
Redlands Foothill Groves	.4142
Redlands Mutuals Orange Association	.1540
Ventura County Orange & Lemon Association	1.1793
Whittier Mutual Orange & Lemon Association	.1554
Babijuice Corp. of California	.9631

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Banks, L. M	0.7208
Becker, Samuel Eugene	.0095
Bennett Fruit Co	.1167
Borden Fruit Co	.5562
Cappos Bros. Produce	.0074
Cherokee Citrus Co., Inc	.1096
Chess Co., Meyer W	.4165
Dozier, Paul M	.0127
Dunning Ranch	.0496
Evans Bros. Packing Co	.9301
Gold Banner Association	.1759
Granada Hills Packing Co	.0334
Granada Packing House	1.0215
Hill Packing Co., Fred A	.0635
Knapp Packing Co., John C	.5191
L Bar S Ranch	.1107
Lawson, William J	.0069
Lima & Sons, Joe	.1153
Orange Belt Fruit Distributors	1.3199
Orange Hill Groves	.0116
Otte, Arnold	.0632
Panno Fruit Co., Carlo	.4893
Paramount Citrus Association	.7428
Patitucci, Frank L	.0092
Placentia Orchard Co	.5306
Prescott, John A	.0194
Redlands Fruit Association, Inc	.0150
Riverside Citrus Association	.0238
Ronald, P. W	.0214
San Antonio Orchard Co	.3123
Schwaer, Erwin & Arthur	.0000
Stephens, T. F	.2271
Summit Citrus Packers	.0166
Treesweet Products Co	.2454
Wall, E. T., Grower-Shipper	.1358
Western Fruit Growers, Inc	.4828

[F. R. Doc. 51-7301; Filed, June 22, 1951; 11:10 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 18, Revision 1, Amendment 1]

CPR 18 REV. 1—MANUFACTURERS' PRICES FOR WOOL YARNS AND FABRICS

CHANGES AND CLARIFICATIONS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Ceiling Price Regulation 18, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

The changes and clarifications incorporated in this amendment to Ceiling Price Regulation 18, Revision 1, are intended to clarify some of the provisions of the revised regulation and to make certain additions to it.

As originally worded, all base period prices obtained from contracts to sell were required by section 3 (c) (1) to be taken from contracts with the class of purchaser which bought the largest amount, during the base period, of the yarns or fabrics in the category in which the yarn or fabric being priced fell. This resulted in some manufacturers being unable to obtain a base period price for yarns or fabrics for which they had a contract price, but not with the class of purchaser buying the largest amount of the category in which the yarn or fabric fell. Section 1 of this amendment allows such manufacturers to obtain their base period price in such cases by taking the contract price with the class of purchaser which bought the largest amount of that particular yarn or fabric during the base period.

Sections 2, 5, 6 and 8 of this amendment clarify the position of those manufacturers who buy woolens and worsted fabric or yarn in the greige or unfinished state and convert it to a finished fabric or yarn. The term "manufacturing material" is clarified to include purchased yarn or greige fabric, and the "terminal" cost of such yarn or fabric is specified as the ceiling price of such yarn or fabric under this revised regulation. Furthermore, explicit instructions are given as to how to compute the material cost adjustment of a finished yarn. Although the converting of yarn and greige fabric is of much smaller volume in the woolen and worsted industry than in other textile industries, it was important to clarify the position of those converters who are in the industry. This amendment makes explicit the intention of CPR 18, Rev. 1, to cover such converters.

Manufacturers of apparel interlinings who sell such interlining as piece goods, have been included, and their method of computation indicated, in Ceiling Price Regulation 18, Revision 1, by sections 4, 5, 7 and 14 of this amendment. Because the product which they manufacture may contain many different kinds of raw materials, they might previously have been covered by one or more of three regulations, CPR 18, Rev. 1, CPR 37, and CPR 22, depending on the kinds and proportion of raw materials used. After consultation with the industry it was ascertained that CPR 18, Rev. 1 was suitable for the determination of ceiling prices for apparel interlining, and accordingly the definition of "wool" was amended to include animal hair when used in the manufacture of apparel interlining. No changes in the ceiling price levels which would have been established for this industry under CPR 37 and 22, are expected to result from this amendment.

Section 9 of this amendment provides that freight-in, insurance, and applicable duty may be included in determining the materials cost adjustment. However, it should be noted that if these charges are included in determining the terminal cost of a material, they must be included in the determination of the base period cost of such material. The inclusion of this provision is made necessary by the varying methods by which wool and other materials are purchased. This variation often results in some invoices containing freight, insurance, and duty charges and others omitting such charges. The amendment equalizes the position of all manufacturers with regard to what they may or may not include in the base period and terminal costs of materials, and provides for a consistent method of computing cost increases.

Section 10 of this amendment should remove any ambiguity from section 4 (b) (1) of CPR 18, Rev. 1, which clearly

expresses the intention of this revised regulation, that only in cases where wool top is purchased, i. e., where base period invoices are available, may manufacturers compute their material cost adjustment for wool on the basis of wool top. Integrated mills who comb all of their own top, and consequently have base period invoices for wool fiber but not for top, must compute their material cost adjustment for wool on the basis of wool fiber. Manufacturers who use both purchased top and top which they comb themselves may compute their material cost adjustment for wool on either a wool fiber or a top basis, and section 10 of this amendment emphasizes that if the latter method is used, the labor cost adjustment, computed by such manufacturers shall not include increases in the cost of combing top in their own mill.

Section 11 of this amendment reduces to two years, the period of time for which current records of prices charged under this revised regulation must be kept and made available for examination by the Office of Price Stabilization.

Sections 3, 12 and 13 of this amendment make such changes in the revised regulation as are necessary for conformity with other changes made by this amendment.

Finally, section 15 of this amendment, amends the revised regulation to allow manufacturers of wool yarns and fabrics to use either CPR 18, Rev. 1, CPR 18, or the General Ceiling Price Regulation, to determine their ceiling prices, until July 16, 1951. On and after July 16, 1951, they must use CPR 18, Rev. 1 to determine their ceiling prices. This extension of time was made necessary by the fact that many nonintegrated manufacturers must use the ceiling prices of their suppliers, under CPR 18, Rev. 1, in computing their own ceiling prices. The additional time allowed by this amendment insures that such manufacturers will not be forced to halt shipments due to their inability to compute their ceiling prices. It also will provide manufacturers of apparel interlining with sufficient time to compute their ceiling prices. In view of the fact that CPR 18, Rev. 1 does not contemplate price roll-backs, except in certain cases, this extension of time will not affect the level of prices existing in the woolen and worsted industry.

In the judgment of the Director of Price Stabilization this amendment is generally fair and equitable and will effectuate the purposes of Title IV of the Defense Production Act of 1950.

In formulating this amendment the Director has consulted with representatives of industry to the extent practicable under the circumstances and has given consideration to their recommendations.

AMENDATORY PROVISIONS

Ceiling Price Regulation 18, Revision 1, is amended in the following respects:

1. Paragraph (c) (1) of section 3 is amended by inserting at the end of the second sentence immediately after the words "class of purchaser." and before the parenthesis, a new sentence to read as follows: "If, during your base period for the category in which the yarn or fabric falls, you did not contract in writing to sell that yarn or fabric to the class of purchaser which, during that base period, contracted in writing to buy from you the largest dollar amount of yarns or fabrics in the same category as the yarn or fabric to be priced, but you did contract in writing to sell it to another class of purchaser, find the highest price at which you contracted in writing to sell that yarn or fabric to the class of purchaser which, during that base period, contracted in writing to buy from you the largest dollar amount of that yarn or fabric." so that paragraph (c) (1) of section 3, as amended, will now read as follows:

(c) *Base period price.* (1) Find the class of purchaser which, during your base period for the category in which the yarn or fabric falls, contracted in writing to buy from you the largest dollar amount of yarns or fabrics in the same category as the yarn or fabric to be priced. Then find the highest price at which you contracted in writing to sell that yarn or fabric to that class of purchaser. If, during your base period for the category in which the yarn or fabric falls, you did not contract in writing to sell that yarn or fabric to the class of purchaser which, during that base period, contracted in writing to buy from you the largest dollar amount of yarns or fabrics in the same category as the yarn or fabric to be priced, but you did contract in writing to sell it to another class of purchaser, find the highest price at which you contracted in writing to sell that yarn or fabric to the class of purchaser which, during that base period, contracted in writing to buy from you the largest dollar amount of that yarn or fabric. (Exclude sample quantity contracts).

2. Paragraph (a) (1) of section 4 is amended by inserting between the second and third sentences immediately after the words "yarn or fabric." a new sentence to read as follows: "It also refers to purchased yarn and purchased greige fabric." so that paragraph (a) (1) of section 4, as amended, will now read as follows:

(a) *Manufacturing material and cost of labor.* (1) You will need to become familiar with the terms "manufacturing material" and "cost of labor" in this section. "Manufacturing material" refers to material other than wool and wool waste (see definitions, section 25), entering directly into the yarn or fabric being priced or used directly in the manufacturing processes from which the yarn or fabric results, together with packaging materials, containers (other than returnable containers), purchased fuel, steam or electric energy, and subcontracted industrial services which are directly related to the manufacture of the yarn or fabric. It also refers to purchased yarn and purchased greige fabric. It does not include materials or subcontracted industrial services used in replacing, maintaining or expanding your plant and equipment, nor other materials or supplies the use of which is not directly dependent upon the rate at which you manufacture the yarn or fabric being priced.

3. Paragraph (b) of section 4 is amended by deleting the figure "(5)" in the first sentence, and inserting in its place the figure "(6)".

4. Paragraph (b) (2) (i) of section 4 is amended by inserting after the words "camels hair," the words "other animal hair when used in the manufacture of apparel interlining," so that paragraph (b) (2) (i) of section 4, as amended, will now read as follows:

(i) Your "terminal" unit cost of wool (other than cashmere, vicuna, camels hair, other animal hair when used in the manufacture of apparel interlining, and wool used in the manufacture of carpet yarns) is the price for that wool established in Ceiling Price Regulation 35.

5. Paragraph (b) (2) (ii) of section 4 is amended by inserting in the first sentence after the words "camels hair," the words "other animal hair when used in the manufacture of apparel interlining", and by inserting after the words "(other than purchased yarn" the words "and purchased greige fabric" so that paragraph (b) (2) (ii) of section 4, as amended, will now read as follows:

(ii) Your "terminal" unit cost of wool waste, cashmere, vicuna, camels hair, other animal hair when used in the manufacture of apparel interlining, wool used in the manufacture of carpet yarns, and manufacturing material (other than purchased yarn and purchased greige fabric and other than those materials which you import directly from a seller not subject to the regulations of the Office of Price Stabilization) is the ceiling price on March 15, 1951, for sales of such commodities by your customary source of supply, under the particular regulation of the Office of Price Stabilization applicable to such sales.

6. Paragraph (b) (2) (iii) of section 4 is amended by inserting after the words "cost of purchased yarn" the words "and purchased greige fabric", and by inserting after the words "for sales of such yarn" the words "or fabric" so that paragraph (b) (2) (iii) of section 4, as amended, will now read as follows:

(iii) Your "terminal" unit cost of purchased yarn and purchased greige fabric is the ceiling price, under this regulation, for sales of such yarn or fabric by your customary source of supply.

7. Paragraph (b) (2) (iv) is amended by inserting in the first sentence after the words "camels hair" the words "other animal hair when used in the manufacture of apparel interlining", and by inserting in the third sentence after the words "camels hair" the words "other animal hair when used in the manufacture of apparel interlining" so that paragraph (b) (2) (iv) of section 4, as amended, will now read as follows:

(iv) Your "terminal" unit cost of the wool waste, cashmere, vicuna, camels hair, other animal hair when used in the manufacture of apparel interlining, wool used in the manufacture of carpet yarns, and manufacturing material, which you import directly from a seller not subject to the regulations of the Office of Price Stabilization, is the aver-

age net price per unit of such material shown on invoices for deliveries of such material to you within 30 days prior to March 15, 1951, provided they were pursuant to contracts bearing firm prices entered into within 60 days prior to March 15, 1951. You obtain this average net price by dividing the net amount you paid for all deliveries of the material during the 30-day period by the total number of units of the material delivered to you during such period. If you had no deliveries of such wool waste, cashmere, vicuna, camels hair, other animal hair when used in the manufacture of apparel interlining, wool used in the manufacture of carpet yarns, or such manufacturing material, during the thirty days prior to March 15, 1951, you may use as the "terminal" unit cost of such material, the net price per unit of the material stipulated in the last written contract for the material which you entered into prior to March 15, 1951, provided that it was entered into not more than 60 days prior thereto.

8. Paragraph (b) (5) of section 4 is amended by inserting after the words "If in a fabric" the words "or finished yarn"; by inserting after the words "cost adjustment for that fabric" the words "or finished yarn"; by deleting the word "that" after the words " 'terminal' cost of" and inserting in its place the word "the"; by inserting after the words "of that yarn" the words "you spin yourself"; by deleting the word "that" after the words "or wool waste used in" and inserting in its place the word "the"; and by inserting after the words "used in that yarn" the words "you spin yourself" so that paragraph (b) (5) of section 4, as amended, will now read as follows:

(5) If in a fabric or finished yarn you are pricing you use yarn which you spin yourself, you shall, in determining your materials cost adjustment for that fabric or finished yarn, use, instead of the difference in the "base period" and "terminal" cost of the yarn which you spin yourself, the difference in the "base period" and "terminal" cost of the wool or wool waste used in the yarn you spin yourself.

9. Paragraph (b) of section 4 is amended by inserting a new subparagraph (6) at the end of subparagraph (5) to read as follows:

(6) You may include in your "base period" and "terminal" costs of wool, wool waste or manufacturing material, applicable duty, insurance, and transportation costs for delivery of the material to you. If your "terminal" cost of wool, wool waste, or manufacturing material includes such duty, insurance, or transportation costs, then your "base period" cost of that material must include, on the same basis, such duty, insurance, or transportation costs.

10. Paragraph (c) of section 4 is amended by inserting in the second sentence after the words "increases in the cost of" the word "purchased" so that paragraph (c) of section 4, as amended, will now read as follows:

(c) *Labor cost adjustment.* Find the increase between the end of your base period and March 1, 1951, in your cost of labor per unit of that yarn or fabric. This is your labor cost adjustment. If, for a particular yarn or fabric, you computed your material cost adjustment for wool on the basis of increases in the cost of purchased wool top, you must compute your labor cost adjustment on the basis of increases in the cost of labor for converting top into a unit of that yarn or fabric.

11. Paragraph (a) of section 20 is amended by deleting, in the first sentence, the words "for the life of the Defense Production Act of 1950 and" and the word "thereafter" so that paragraph (a) of section 20, as amended, will now read in part as follows:

SEC. 20. *Records.* (a) You must keep and make available for examination by the Office of Price Stabilization for a period of two years the records you customarily maintain showing the prices you charge for yarn or fabric sold or delivered after the effective date of this regulation. You must also preserve until two years after the expiration of the Defense Production Act of 1950 all of the data required to be reported by section 21, and in addition:

12. Paragraph (a) (2) of section 20 is amended by inserting in the last sentence after the words "camels hair" the words "other animal hair when used in the manufacture of apparel interlining" so that paragraph (a) (2) of section 20, as amended, will now read as follows:

(2) All invoices for, and written contracts to purchase, wool, wool waste and manufacturing material received or entered into, between July 1, 1949 through June 24, 1950. For materials which you import directly from sellers not subject to the regulations of the Office of Price Stabilization, preserve all written contracts to purchase, and invoices for such materials, entered into, or received, within 60 days prior to March 15, 1951. If you are establishing for the purpose of computations under this revised regulation a net invoice cost for such supplies through a supplier's delivery price, obtain and preserve a statement, signed by the principal owner or an officer of the supplying company, of the highest price at which this supplier delivered such supply, to a purchaser of the class in which you fall, and the date of such delivery. For wool waste, cashmere, vicuna, camels hair, other animal hair when used in the manufacture of apparel interlining, wool used in the manufacture of carpet yarns, and manufacturing material preserve a statement of the name and address of the supplier whose ceiling price you used to determine your "terminal" cost under section 4 (b) (2).

13. Paragraph (c) (2) of section 21 is amended by deleting the words "which bought the largest amount of yarns or fabrics in the category in which the yarn or fabric being priced falls, during the base period" and inserting in their place the words "which you chose in accordance with the instructions contained in section 3 (c)" so that paragraph (c) (2) of section 21, as amended, will now read as follows:

(2) A description of the class of purchaser which you chose in accordance with the instructions contained in section 3 (c), and your customary differentials, if any, between that class of purchaser and your other classes of purchasers.

14. Paragraph (b) of section 25 is amended by inserting after the words "and shall include" the words "other animal hair when used in the manufacture of apparel interlining, and" so that paragraph (b) of section 25, as amended, will now read as follows:

(b) "Wool" means the fibers from the fleece of the sheep or lamb, or the hair of the Angora or Cashmere goat or of the camel, alpaca, llama or vicuña, and shall include other animal hair when used in the manufacture of apparel interlining, and tops and noils, but shall not include wool wastes.

15. In sections 1 and 22, wherever the date "June 11, 1951" appears, it is amended to read "July 16, 1951."

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective on June 22, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 22, 1951.

[F. R. Doc. 51-7294; Filed, June 22, 1951; 10:57 a. m.]

[Ceiling Price Regulation 18, Revision 1, Supplementary Regulation 1]

CPR 18 REV. 1—MANUFACTURERS' PRICES FOR WOOL YARNS AND FABRICS

SR 1—PRODUCT LINE METHOD OF COMPUTING CEILING PRICES FOR MANUFACTURERS OF WOVEN WOOLEN INDUSTRIAL FELTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 1 to Ceiling Price Regulation 18, Revision 1, as amended, is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 18, Revision 1, provides that in computing the material and labor cost adjustments to determine ceiling prices, manufacturers are to use a unit cost method for each fabric to be priced. This method is suited to the customary accounting procedures of the great majority of manufacturers covered by CPR 18, Revision 1.

Manufacturers of woven woolen industrial felts produce a far greater variety of styles and sizes of products than do any other manufacturers covered by CPR 18, Rev. 1. Such felts may range in width from 20 to 300 inches, in length

from 6 to 235 feet, and in finished weight from one ounce per square foot to 23 ounces. These disparities in style and size exist because these felts are used on a wide variety of industrial machinery. In most cases particular felts are woven to purchasers' specifications to be used for particular machines. Some manufacturers of felts sell as many as 9,000 separate products. This would possibly require an equivalent number of computations of material and labor cost adjustments to determine individual ceiling prices, if the present provisions of CPR 18, Revision 1, were to be applied.

Accordingly, this supplementary regulation provides manufacturers of woven woolen industrial felts with an alternate method of computing ceiling prices with respect to product lines. The product line method of computation is one under which material and labor cost adjustments are calculated only for the best selling felt in each product line. The resulting adjustment is converted to a percentage of the base period price of this particular felt and applied to the base period price of all other felts in that product line to determine the ceiling prices of the other felts. The number of required computations is consequently reduced to manageable proportions.

This supplementary regulation also provides the method by which manufacturers of woven woolen industrial felts, who use the product line method, are to determine their ceiling prices for "new" felts, and for felts which were not dealt in during the base period but which are "similar" to, or "comparable" to felts dealt in during the base period. The pertinent sections of CPR 18, Revision 1, as amended, are modified to allow the manufacturer, using the product line method, to in-line, by the method prescribed, the ceiling price of the felt being priced with the ceiling price of the "similar", "comparable", or "most nearly like" felt as determined by the product line method rather than as determined under section 3, 4 and 5 of CPR 18, Revision 1, as amended. In this manner the ceiling prices for felts not dealt in during the base period will be kept in proper relationship with the ceiling prices for felts dealt in during the base period and falling in the same product line.

Furthermore, in order to provide a reasonably sufficient period of time within which to determine ceiling prices under this method, manufacturers of woven woolen industrial felts who elect to use this method may, until July 16, 1951, deliver such felts at ceiling prices determined either under the General Ceiling Price Regulation, CPR 18, Revision 1, as amended, or this Supplementary Regulation.

The prices determined by the method permitted by this supplementary regulation will not be substantially different from the average level of prices of woven woolen industrial felts computed item by item under CPR 18, Revision 1, as amended. The over-all effect of any upward revisions of some prices will be balanced, on the average, by a corresponding downward movement of others.

The provisions of this supplementary regulation and their effect upon business practices, cost practices, or methods, or means or aids to distribution in the industry have been considered. Generally only such changes in such practices or methods have been effected as are necessary to prevent circumvention or evasion of the supplementary regulation and to effectuate the policies of the Defense Production Act of 1950.

In the judgment of the Director of Price Stabilization, based upon presently available data, the provisions of this supplementary regulation and the ceiling prices established are generally fair and equitable and will effectuate the purposes of Title IV of the Defense Production Act of 1950.

In formulating this supplementary regulation the Director has consulted with representatives of industry to the extent practicable under the circumstances and has given consideration to their recommendations.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Ceiling prices for felts dealt in during the base period, using the product line method.
3. Ceiling prices for felts not dealt in during the base period.
4. Records.
5. Reports.
6. Definitions.

AUTHORITY: Sections 1 to 6 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation modifies Ceiling Price Regulation 18, Revision 1, as amended, by allowing manufacturers of woven woolen industrial felts, who are otherwise subject to the provisions of Ceiling Price Regulation 18, Revision 1, as amended, to use the product line method of computation in determining ceiling prices for such felts.

If you elect to use the product line method of determining your ceiling prices, you may, during the period between the issuance of this supplementary regulation and July 16, 1951, sell and deliver woven woolen industrial felts at ceiling prices fixed by this Supplementary Regulation 1, Ceiling Price Regulation 18, Revision 1, as amended, or the General Ceiling Price Regulation, as amended, but on and after July 16, 1951, you must use this supplementary regulation to fix ceiling prices for such felts.

Except as modified by this supplementary regulation all other provisions of Ceiling Price Regulation 18, Revision 1, as amended, apply to you.

SEC. 2. *Ceiling prices for felts dealt in during the base period, using the product line method.* This method of computing your ceiling prices is essentially the same as that contained in sections 2 through 5 of Ceiling Price Regulation 18, Revision 1, as amended, except that the calculations are made only for the best selling felt in a product line. To calculate your ceiling prices under this method, you do the following:

(a) Select the best selling felt in the product line of which the felt being priced is a part.

(1) "Product line" refers to a group of closely related felts which differ in such respects as style, model, or size and which are normally classed together as a product line in your industry. To be in the same product line felts must serve substantially the same purpose on substantially the same machine in the same industry and must be made by the same manufacturing process from substantially the same types and amounts of materials. Examples of product lines are Common Wet Felts, Pulp Felts, and Slasher Cloth. For the purposes of this supplementary regulation, all of your product lines will be in the same category, i. e., non-apparel fabrics other than blankets.

(2) "The best selling felt" refers to the felt in a product line which accounted for the greatest dollar amount of sales in the product line in your base period.

(b) Find the base period price of your best selling felt according to the provisions of section 3 of CPR 18, Rev. 1, as amended.

(c) Using the best selling felt, make the calculations prescribed in section 4 of CPR 18, Rev. 1, as amended. This will give you "the material and labor cost adjustment" for the best selling felt.

(d) Divide "the material and labor cost adjustment" by the base period price of the best selling felt. The resulting percentage is referred to as your "material and labor cost adjustment factor."

(e) Apply your "material and labor cost adjustment factor" to the base period price (found in accordance with section 3 of CPR 18, Rev. 1, as amended) of each felt in the product line. The resulting figure is "the material and labor cost adjustment" for each such felt.

(f) Add the "material and labor cost adjustment" for each felt in the product line to the base period price of that felt. This gives you the ceiling price for a unit of that felt to the same class of purchaser as the one which you used in determining your base period price for that felt. To this ceiling price apply the provisions of section 15 of CPR 18, Rev. 1, as amended (conditions of sale and classes of purchaser). Before you deliver a felt at a ceiling price fixed by this section, you must file the report required by section 5 of this supplementary regulation.

(g) If you use this section for one felt you must use it for all felts in the same product line.

SEC. 3. *Ceiling prices for felts not dealt in during the base period.* (a) If you compute ceiling prices for woven woolen industrial felts by the method prescribed in this supplementary regulation, and you want to sell a felt which you cannot price under section 2 of this supplementary regulation, your ceiling price for such a felt is determined by applying, with the qualifications contained in paragraphs (b) and (c) of this section, the provisions of sections 6, 7–10, or 11 of CPR 18, Rev. 1, as amended, whichever is applicable. Before you deliver a

felt at a ceiling price fixed by this section, you must file the report required by section 5 of this supplementary regulation.

(b) Wherever sections 6, 7–10, or 11 of CPR 18, Rev. 1, as amended, refer to the ceiling price of the "similar", "comparable", or "most nearly like" felt, such ceiling price shall be that determined under section 2 of this supplementary regulation, rather than that determined under sections 3, 4 and 5 of CPR 18, Rev. 1, as amended.

(c) In selecting a comparable felt under section 9 (a) of CPR 18, Rev. 1, as amended, make your selection from felts for which you can establish ceiling prices under section 2 of this supplementary regulation and which are in the same product line as the felt being priced.

SEC. 4. *Records.* If you compute ceiling prices for woven woolen industrial felts by the method prescribed in this supplementary regulation you must keep and make available for examination by the Office of Price Stabilization, the data required in section 20 of CPR 18, Rev. 1, as amended, for the periods specified therein. In addition you must keep and make available for examination by the Office of Price Stabilization, for the life of the Defense Production Act of 1950 and for a period of two years thereafter:

(a) All of the data required to be reported by section 5 of this supplementary regulation,

(b) A list and complete description of every felt in each product line you price under this supplementary regulation;

(c) The base period price of each felt you price under this supplementary regulation (found in accordance with section 3 of CPR 18, Rev. 1, as amended).

SEC. 5. *Reports.* Prior to making any deliveries of woven woolen industrial felts for which ceiling prices are established by this supplementary regulation, you must file by registered mail, the report required by this section, with the Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. You may deliver, upon filing the required report, unless and until notified by the Director of Price Stabilization that your proposed price has been disapproved or that more information is required. If you are notified that additional information is required, you cannot sell at your proposed price until you have filed such additional information by registered mail, or until such time (not to exceed 15 days after the filing of the additional information requested) as the request for information shall specify. The Director of Price Stabilization may at any time disapprove or revise ceiling prices reported under this section so as to bring them into line with the level of ceiling prices otherwise established by this supplementary regulation.

Your report shall contain the following information:

(a) For each best selling commodity in each product line which you price under this supplementary regulation, your report should include the following:

(1) All of the information required to be reported by paragraphs (a) through (c), inclusive, of section 21 of CPR 18, Revision 1, as amended;

(2) The estimated dollar volume of net sales for the product line and for the best selling felt, for your last fiscal year which ended prior to December 31, 1950;

(3) The "material and labor cost adjustment factor" you computed under section 2 (d) of this supplementary regulation.

(b) With respect to each felt which you are pricing under section 3 of this supplementary regulation and with respect to the similar, comparable, or most nearly like felt used in computing your ceiling prices, your report should include the following:

(1) All of the information required by subparagraphs (1), (2), (3), (5), (6) and (7) of section 21 (d) of CPR 18, Rev. 1, as amended;

(2) The ceiling price under section 2 of this supplementary regulation of the similar, comparable, or most nearly like felt.

SEC. 6. *Definitions.* (a) "Woven woolen industrial felt" means a woven fabric which has been subjected to a felting operation, and which is used for machine clothing.

(b) The pronoun "you" as used in this supplementary regulation indicates the person subject to the regulation.

All definitions used in Ceiling Price Regulation 18, Rev. 1, as amended, which are pertinent to this supplementary regulation are incorporated in this supplementary regulation.

Effective date. The effective date of this supplementary regulation is June 22, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 22, 1951.

[F. R. Doc. 51-7295; Filed, June 22, 1951; 10:57 a. m.]

[Ceiling Price Regulation 22, Amendment 10, Correction]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

EDITORIAL NOTE: Due to an error the words "prior to the prescribed date" were omitted at the end of the first sentence of Amendatory Provision 4 of Amendment 10 to Ceiling Price Regulation 22, issued and effective June 19, 1951 (16 F. R. 5864). It is clear from the Statement of Considerations and the text of Amendatory Provisions 5 and 6 of Amendment 10 that these quoted words were inadvertently omitted. Accordingly, Amendatory Provision 4 of Amendment 10 to Ceiling Price Regulation 22 is corrected to read as follows:

4. A new paragraph (f) is added to section 18 to read as follows:

(f) The net price per unit of the material shown on the invoice for the last delivery of the material to you prior to the prescribed date. You may elect not to use this pricing method if you believe that the material cost change determined under this paragraph does not reflect the appropriate change in your cost of any material.

[Ceiling Price Regulation 22, Supplementary Regulation 7]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR–7—MODIFICATIONS AND ALTERNATIVE PROVISIONS FOR MANUFACTURERS OF CHEMICALS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this supplementary regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation to CPR 22 will bring together certain modifications of that regulation or alternative provisions which are applicable to manufacturers of chemicals, either generally or under the conditions and to the extent indicated in the various sections of the supplementary regulation. Except as otherwise provided in this supplementary regulation, however, the provisions of CPR 22 will continue to be applicable.

At the present time the supplementary regulation contains provisions covering only the matters listed below. Requests for other modifications are now under consideration, and from time to time additional special provisions for manufacturers of chemicals may be added.

1. Section 2 of this supplementary regulation contains an alternative method for computing ceiling prices for chemical joint products or by-products. Under section 22 of CPR 22, a manufacturer of joint products or by-products, resulting from the same manufacturing operation or from common materials, who is unable to compute unit manufacturing materials for each product, may establish an appropriate combined unit of production in which are represented the several commodities in the proportions in which they result from the same manufacturing operation or from common materials. He then computes a uniform percentage increase in manufacturing materials cost which he may apply to the base period price of each of the commodities in the combined unit of production.

Manufacturers of chemicals frequently produce joint or by-products on which they are unable to compute separate unit manufacturing materials costs, and yet which are of such a nature that a uniform percentage increase over base period prices would not be appropriate. Under this supplementary regulation, within certain limitations, the manufacturer may apply a nonuniform percentage increase to the base period price of each of the commodities included in the combined unit of production. The resulting aggregate dollar increase for the combined unit, however, may not exceed the aggregate dollar increase which would result by applying the uniform percentage increase under CPR 22.

Before selling any commodity for which a ceiling price is determined under section 2 of this supplementary regulation, the manufacturer must file a report with OPS setting forth his proposed ceiling prices for the commodities in the combined unit of production, the calculations he has made and the reasons for not using the uniform increase derived under CPR 22.

2. Section 3 of this supplementary regulation provides an alternative method of computing the cost of sulphur as a manufacturing material. Sulphur is customarily supplied pursuant to long-term contracts of a year or more which do not contain any provisions for quarterly or other periodic price changes. Section 18 of CPR 22 contains certain restrictions on the use of prices stipulated in contracts entered into more than 60 days prior to a prescribed date, which in many cases would result in a manufacturer being required to apply to OPS for approval of an appropriate cost increase under paragraph (f) of section 18. The alternative method set forth in section 3 of this supplementary regulation is intended to facilitate the computation of net cost of sulphur as a manufacturing material and to eliminate insofar as possible the necessity for filing applications under section 18 (f) of CPR 22.

Subsequent to June 24, 1950, there were general announcements of price increases made by the major suppliers of sulphur, which they put into effect in the latter part of 1950 as various long-term contracts expired and new contracts were executed. As additional long-term contracts expired prior to March 15, 1951, new contracts were also entered into at the higher prices announced and put into effect in the latter part of 1950. As to some other users of sulphur, however, the higher prices did not become effective prior to March 15, 1951 solely because of the existence of long-term contracts extending beyond that date, but those users become subject to the higher prices as their old contracts expire and they enter into new ones. Under CPR 22, manufacturers may compute their increase in the cost of sulphur as a manufacturing material up to March 15, 1951, since sulphur itself is excluded from CPR 22, under Appendix A, as a non-metallic mineral, and the March 15 date applies to all commodities named in Appendix A.

The alternative method for computing the cost of sulphur, set forth in this supplementary regulation, permits a manufacturer to determine the net cost to him per unit of sulphur used as a manufacturing material by using the price stipulated in the long-term contract in effect on the prescribed date with his principal supplier at each location. If he uses such contract price for the base period date, he must also use that supplier's long-term contract price in effect at the later prescribed date, provided, however, that if prior to the later prescribed date, such supplier had announced a price increase which was not effective as to that manufacturer solely because of the existence of the long-term contract, the manufacturer may use the increased price so announced. This alternative method achieves the result that OPS would seek to achieve in approving applications under section 18 (f) of CPR 22, but eliminates the necessity for a formal application.

3. Ceiling Price Regulation 22 does not permit the inclusion of increases in maintenance and repair materials in determining increases in materials cost. The manufacture of chemicals, however, generally involves conditions which are marked by high expenditures for maintenance and repair materials. This is because many chemicals and chemical processes are highly corrosive to the materials of construction and chemical reactions require either the application or removal of large quantities of heat and the use of very high pressures.

For example, the basic process in the huge alkali and chlorine industry is the electrolysis of common salt, which is split up under the influence of a large amount of direct current into the very corrosive chlorine gas and a solution of caustic soda of varying concentrations. The manufacture of sulphuric acid involves the corrosive reaction of sulphur or pyrites to sulphur dioxide and its subsequent oxidation to sulphuric acid. The latter in turn is used in the manufacture of hydrochloric, nitric, phosphoric and hydrofluoric acids, all involving highly corrosive processes. As a result of conditions involving high temperatures, pressures and corrosive actions, chemical manufacturing processes consume maintenance and repair materials in much the same way as they do the manufacturing materials themselves. Under these circumstances, maintenance and repair materials expenditures, instead of having the more or less fixed features of typical overhead costs, increase as the volume of production increases above normal rates.

It is therefore consistent with the spirit and intent of CPR 22 to allow a manufacturer of chemicals to add to his base period prices increases in costs of these materials just as he does increases in costs of manufacturing materials. Section 4 of this supplementary regulation therefore permits a manufacturer of chemicals to compute a maintenance and repair materials cost adjustment which he may add to his base period prices together with his labor cost adjustment and manufacturing materials cost adjustment in computing new ceiling prices under CPR 22.

The adjustment is computed as follows: The manufacturer takes from his federal income tax return for his last fiscal year ended not later than December 31, 1949, those maintenance and repair materials expenditures which are of a kind which the Bureau of Internal Revenue has already allowed in his previous income tax returns as current operating expenses. He then determines the ratio of these allowable expenditures to his total net sales, and multiplies that ratio by 12 percent. The resulting figure is his maintenance and repair materials cost adjustment factor which he applies to his base period prices to obtain his maintenace and repair materials cost adjustment.

The 12 percent figure used in this calculation was derived from a study of representative items which are customarily used as repair and maintenance materials in the chemical industries, with a view to determining an average percentage increase in such costs from June 1950 to December 1950. The average increase was then adjusted downward so that the maintenance and repair materials cost adjustment should exclude changes in normal maintenance materials costs which are not peculiar to the chemicals industry.

Before a manufacturer takes the maintenance and repair materials cost adjustment, he must file with OPS a statement setting forth the cost adjustment factor he has computed. This statement may be filed with his Public Form No. 8 under CPR 22, but in any event it must be filed on or before August 1, 1951.

Prior to the issuance of this regulation, the Director consulted with representatives of the industry and has taken into consideration the recommendations of several Industry Advisory Committees. The Director finds that the provisions of this supplementary regulation are generally fair and equitable and consistent with the basic objectives of CPR 22.

REGULATORY PROVISIONS

Sec.

AUTHORITY: Sections 1 to 4 issued under sec. 704, Pub. Law 774, 81st Cong., interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3c FR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation sets forth certain modifications of CPR 22 or alternative provisions, applicable to manufacturers of chemicals, either generally or under the conditions and to the extent indicated in the later sections of this regulation. Except as otherwise provided in this supplementary regulation, however, the provisions of CPR 22 continue to be applicable to you as a manufacturer of chemicals.

SEC. 2. *Alternative method for computing ceiling prices for chemical joint products or by-products*—(a) *Applicability of this section.* This section applies to you if you are a manufacturer of chemical joint products or by-products and calculate your "materials cost adjustment", under section 22 of CPR 22, on the basis of an appropriate combined unit of production in which are represented the several joint or by-products in the proportions in which they result from the same manufacturing operation or from common materials. In that event, you may use this section 2 of this supplementary regulation as an alternative method of computing your ceiling prices under CPR 22 for such joint products or by-products.

(b) *Alternative method of computing ceiling prices.* If the application of a uniform materials cost adjustment determined under section 22 of CPR 22 for a combined unit of production, is not appropriate for the chemical joint products or by-products in that combined unit, you need not apply your labor and materials cost adjustments uniformly to each of the several chemicals represented in the combined unit of production. Instead, you may apply a non-uniform percentage increase to the base period prices of each of the commodities included in your combined unit of production in determining its respective ceiling prices, provided that the resulting aggregate dollar increase for the combined unit of production will not exceed the aggregate dollar increase which would result if you followed CPR 22 as to each chemical. For example: Suppose that your combined unit of production consisted of one ton of chemical A and two tons of chemical B, and that your base period prices were $10.00 per ton for A and $8.00 per ton for B. The base period dollar value of your combined unit of production was, therefore, $10.00 plus $16.00 or $26.00 Assume that under CPR 22 your labor and material cost adjustment together per combined unit of production was $2.60 or 10 percent. Under the provisions of Sections 3 and 22 of CPR 22 you could therefore increase the base period price for each chemical by 10 percent, or to $11.00 for A and $8.80 for B. Under this section, however, you could increase your base period price for chemical A to only $10.40. In that case, you could raise your base period price for chemical B to $9.10 instead of $8.80. This would make your increase over the base period price $.40 for one ton of A and $2.20 (two tons at $1.10 each) for B, giving an aggregate increase for the combined unit of production of $2.60, which is the amount permitted in this alternative method. You may not, however, use this alternative method unless the following conditions are complied with:

(1) Your percentage increase over your base period price for any of the commodities in the combined unit of production shall not exceed twice the permissible uniform percentage increase for the combined unit of production derived under CPR 22, unless written permission is granted by the Office of Price Stabilization.

(2) For any commodity represented in the combined unit of production which you use in the same or other departments or plants of your business, or sell or transfer to any companies with which you are directly affiliated, you may not, in making the calculations under this section, apply a lessor percentage increase over your base period price than the uniform percentage increase derived under CPR 22.

(c) *Reports.* Before selling any commodity for which you have determined a ceiling price under this section, you must file a report with the Rubber, Chemicals and Drugs Division, Office of Price Stabilization, Washington 25, D. C., setting forth your proposed ceiling prices for each of the commodities represented in the combined unit of production, the calculations you employed in arriving at these ceiling prices and your reasons for not using the uniform percentage increase derived under CPR 22. After mailing the report, you may sell the commodity at your proposed ceiling price unless and until you are notified by the Office of Price Stabilization that your proposed ceiling price has been disapproved or that more information is required.

SEC. 3. *Alternative method of computing the cost of sulphur as a manufacturing material as of a prescribed date*—(a) *Applicability of this section.* This section applies to you if, under CPR 22, you are figuring the change, between the prescribed dates, in the net cost to you per unit of sulphur as a manufacturing material, and you had in effect on either prescribed date a long-term contract for the purchase of sulphur. A long-term contract, for the purposes of this section, means a contract covering a period of a year or more, entered into more than 60 days prior to the prescribed date, and which does not include any provision for periodic price changes every period of three months or less.

(b) *Use of long-term contract prices for computation of cost of sulphur.* Notwithstanding the provisions of section 18 of CPR 22, to determine the net cost to you per unit of sulphur used as a manufacturing material as of a prescribed date, you may use the price stipulated in the long-term contract in effect on such prescribed date with your principal supplier at each location: *Provided, however,* That if you use such contract price for the base period date, you must also use that supplier's long-term contract price in effect on the later prescribed date: *Provided further, however,* That if prior to the later prescribed date such supplier had announced a price increase on sulphur, which was not effective as to you solely because of the existence of the long-term contract, you may use the increased price so announced.

SEC. 4. *Maintenance and repair materials cost adjustment*—(a) *Applicability of this section.* Under this section you may compute a maintenance and repair materials cost adjustment which you may add to your ceiling prices determined under section 3 of CPR 22 for chemicals. The term "maintenance and repair materials" means those materials which are of a kind which has been allowed by the Bureau of Internal Revenue as current operating expenses in your previous income tax returns. It does not include materials or subcontracted services used in the replacing or expanding of your plant or equipment.

(b) *Calculation of your maintenance and repair materials cost adjustment.* To calculate your maintenance and repair materials cost adjustment, you do the following:

(1) Determine the last fiscal year which ended not later than December 31, 1949 for which you filed an income tax return with the Bureau of Internal Revenue of the U. S. Treasury Department. If the first fiscal year for which you filed such an income tax return ended later than December 31, 1949, then use the first fiscal year for which you filed a return.

(2) Find the total current maintenance and repair materials expenditures reflected in that return which are of a kind which had been previously allowed by the Bureau of Internal Revenue as current operating expenses, for either your entire business, or for a unit of your business for which you regularly maintain separate accounts and in which the commodity being priced is produced, or for a group of such units. If under subparagraph (1) of this paragraph you are required to use the first income tax return you have filed, find from that return only those current maintenance and repair materials expenditures which would be allowable as current operating expenses under the Federal Income Tax Act and the rules and regulations of the Bureau of Internal Revenue. If you select a unit smaller than your entire business, you may not use the expenditures applicable to that unit in your calculations for your other units or the remainder of your business.

(3) Find the dollar amount of your net sales for the same year, for either your entire business, or for a unit of your business, or for a group of units, whichever you are using under subparagraph (2) of this paragraph.

(4) Divide the dollar amount of these maintenance and repair materials expenditures by your net sales figure determined in subparagraph (3) of this paragraph. This is your maintenance and repair materials cost ratio. Note that subparagraphs (1), (2), and (3) of this paragraph are only for the purpose of determining the ratio of your maintenance and repairs materials expenses to your net sales.

(5) Multiply your maintenance and repair materials cost ratio by 12 percent. This is your maintenance and repair materials cost adjustment factor.

(6) Apply this maintenance and repairs material cost adjustment factor to the base period price of each commodity in your business, or in the unit or groups of units selected by you in subparagraph (2) of this paragraph. This is your maintenance and repair materials cost adjustment, which may be added to your ceiling prices under section 3 of CPR 22. If your cost ratio was computed on a unit basis, the maintenance and repairs material cost adjustment computed for a unit of your business or a group of units may be applied only to the commodities produced in that unit or group of units.

(c) *Reports.* If you wish to add a maintenance and repair materials cost adjustment to your base period prices, you must file with the Rubber, Chemicals and Drugs Division, Office of Price Stabilization, Washington 25, D. C., on or before August 1, 1951, a statement of the maintenance and repair materials cost adjustment factor or factors which you have computed, identifying the unit of your business or groups of units for which each such factor is computed. Thereafter you may add to your ceiling prices under section 3 of CPR 22 the

maintenance and repair materials cost adjustment permitted by this section.

Effective date. This supplementary regulation is effective June 27, 1951.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

JUNE 22, 1951.

[F. R. Doc. 51-7296; Filed, June 22, 1951; 10:58 a. m.]

[Ceiling Price Regulation 48]

CPR 48—PULPWOOD CONTRACT LOGGING SERVICES IN THE NORTHEASTERN STATES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 48 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes specific dollars-and-cents ceiling prices for contract logging services rendered in connection with the production or transportation of pulpwood cut from mill-owned or controlled stumpage in the States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, and New York, except nine of the counties comprising the southern tier of that State. This regulation supersedes Ceiling Price Regulation 34 (Services) insofar as that regulation applies to contract logging services in the Northeastern States. Contract logging services include, but are not limited to, the felling, bucking, yarding, peeling and hauling of wood as well as the building of roads and establishment of camps which are frequently incidental to pulpwood cutting operations.

One-third of the total quantity of domestic wood and one-fifth of the total amount of wood annually consumed by the mills in this area is procured through contract logging services. It is estimated that in 1951 approximately 700 thousand cords of pulpwood may be obtained by such contract logging arrangements. The remainder of the wood requirements of these mills will be met through purchases from farmers and dealers and through company operations.

Inasmuch as contracts for logging services are usually on an annual basis and are consummated in the spring of the year, the prices for such services were frozen under the General Ceiling Price Regulation at the level which existed in the spring of 1950. This level of prices was, in general, perpetuated by Ceiling Price Regulation 34 (Services). The ceiling prices for contract logging services established in this regulation were determined by subtracting the average prices of stumpage from the appropriate ceiling prices established for pulpwood in this area by Ceiling Price Regulation 38 (Ceiling Prices for Pulpwood Produced in Northeastern States). The ceiling prices on contract logging services therefore will tend to equate the cost of pulpwood obtained in this manner by the consuming mills to the cost of wood obtained by such mills in the open market. As a protection to buyers of such services, as well as to the price stabilization program, a safeguard is provided in the regulation to the effect that in no event may the sum of the prices paid for contract logging services and other elements of cost, including stumpage, exceed the appropriate ceiling prices for pulpwood as provided in Ceiling Price Regulation 38. However this regulation does recognize that individual hardship situations may arise due to weather, terrain, and other factors which have an important bearing on the cost of contract logging of pulpwood, and a provision is included for individual adjustments in these situations.

The level of ceiling prices for contract logging services established by this regulation is higher than the level of ceiling prices for such services under the General Ceiling Price Regulation and CPR 34. The permitted increases are found to be necessary because the prices in effect in the period December 19, 1950, to January 25, 1951, inclusive, did not reflect increases in labor, material and operating costs subsequent to the spring of 1950. It is necessary to recognize these cost factors in order to assure an adequate supply of pulpwood to the mills in this area and in order to preserve the seller's pre-Korea margins of profit.

In formulating this regulation, the Director of Price Stabilization has consulted extensively with industry representatives and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave full consideration to the national effort to achieve maximum production in furtherance of the objective of the Defense Production Act of 1950; to prices prevailing during the period May 24, 1950 to June 24, 1950, inclusive; and to relevant factors of general applicability.

To the extent that this regulation compels changes in business practices, cost practices or methods, or means or aids to distribution established in the industry, such changes are necessary to prevent circumvention or evasion of this regulation.

REGULATORY PROVISIONS

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11. Prohibitions.
12. Less than ceiling prices.
13. Ceiling prices for contract logging services.

AUTHORITY: Sections 1 to 13 issued under Sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 C. F. R. 1950 Supp.

SECTION 1. *What this ceiling price regulation does.* This regulation supersedes Ceiling Price Regulation 34 (Services) in the area covered by this regulation. It applies to all sales of pulpwood contract logging services performed on mill-owned or controlled stumpage in the States of Maine, Vermont, New Hampshire, Connecticut, Massachusetts, and all of the State of New York except the counties of Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, Sullivan, Orange and Rockland.

SEC. 2. *Exempted services.* Sales of the services of driving, booming, and rafting of pulpwood in the States of Maine, Vermont, New Hampshire, Connecticut, Massachusetts and all of the State of New York except the counties of Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, Sullivan, Orange and Rockland are exempted from the provisions of this regulation and from the provisions of any other regulation including Ceiling Price Regulation 34 (Services) by Amendment 2 to General Overriding Regulation 8.

SEC. 3. *Definitions.* (a) When used in this regulation, the term:

(1) "Contract logging services" covers only services rendered by independent contractors to consumers who own or control the stumpage involved. It does not include transactions where commodities, as distinguished from services, are sold; in that case, the ceiling on pulpwood (CPR 38) governs the transaction. The term "logging service" includes all services in connection with the transportation and/or production of pulpwood, including all operations in connection therewith, such as, but not limited to, hauling, road construction, felling, bucking, skidding, yarding, peeling, rossing, loading and reloading and trucking. It also covers the transportation of gravel, building materials, machinery and the like when performed solely in connection with a logging operation.

(2) "Cord of pulpwood" means an amount of pulpwood (whether peeled, rossed, or rough) which when properly prepared and stacked, contains 128 cubic feet, or when pulpwood is sold in the form of logs, means that quantity of logs which would, if cut into 4 foot bolts, pile up one cord of pulpwood as defined above. The log rule commonly in use in the area where such pulpwood is cut will be used to determine the cubical content of such logs and the conversion ratio commonly used in the said area will be used in converting log scale to cords.

(3) "Driving, booming and rafting" comprise those services necessary to the movement of pulpwood by water.

(4) "Hemlock wood" includes hemlock (Tsuga canadensis), and tamarack (Larix laricina).

(5) "Lake or stream" has reference to wood which has been properly landed and boomed in the lake or on the bank of or in the stream by which it is to be carried to the consumer.

(6) "Northern hardwoods" include beech (Fagus grandifolia) paper birch (Betula papyrifera), yellow birch (Be-

tula lutea), gray birch (Betula populifolia), sugar maple (Acer saccharum), red maple (Acer rubrum), and all other northern deciduous species except those referred to in subparagraph (10) of this paragraph.

(7) "Peeled pulpwood" includes any pulpwood which has been sap peeled or barked prior to its delivery to consumer.

(8) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of the foregoing.

(9) "Pine" includes any species of the genus Pinus.

(10) "Poplar wood" includes basswood (Tilia americana), butternut (Jugiana cinerea), cucumber (Magnolia acuminata), yellow poplar (Liridiodendron tulipifera) and any species of the genus Populus, sometimes referred to as the "soft-hardwood group."

(11) "Pulpwood" means any sepcies of wood, exclusive of mill waste or mill by-products, sold for manufacture into wood pulp.

(12) "Purchaser" means any person who buys contract logging services which term includes a wholly owned subsidiary of such person.

(13) "Roadside" is any point at which pulpwood can be loaded on a truck for delivery.

(14) "Rossed pulpwood" includes hand shaved pulpwood and any pulpwood from which the bark has been removed by any mechanical rosser, prior to its delivery to a consumer.

(15) "Rough pulpwood" means pulpwood from which the bark has not been removed.

(16) "Sell" includes supply, dispose, barter, exchange, transfer and contracts and offers to do any of the foregoing. The terms buy and purchase shall be construed accordingly.

(17) "Spruce and fir wood" includes black spruce (Picea mariana), white spruce (Picea glauca), red spruce (Picea rubra), and balsam fir (Abies balsamea).

(18) "Stumpage" means a tree whether green or dead, standing or down, of all species, classes and sizes where the tree has not been severed from the stump.

(19) "Stumpage cost" means the actual acquisition cost of the standing timber (exclusive of values ascribed to the land and for other rights).

(b) Unless the context otherwise requires, the definitions set forth in the General Ceiling Price Regulation shall apply to other terms used herein.

SEC. 4. *Records and reports.* (a) On and after the effective date of this regulation, every person making sales or purchases of pulpwood contract logging services in the states covered by this regulation shall keep for inspection by the Director of Price Stabilization for the life of the Defense Production Act of 1950 and for two years thereafter, records of each sale or purchase of such services which show the following:

(1) Date of purchase or sale.

(2) Name and address of other party to the contract.

(3) Location of the operations involved.

(4) Prices per cord including all direct or indirect considerations given or received and pricing point under section 13 (a) of this regulation to which wood was delivered at contractor's expense.

(5) Type of service rendered such as felling, peeling or road construction.

(6) Stumpage cost (only applies to purchasers of logging services).

(b) Persons required to keep records shall submit such reports to the Director of Price Stabilization as he may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942. Further, each contractor shall preserve the records required by section 16 (a) of the General Ceiling Price Regulation (base period records) which show, in general, the prices charged for and a description of the services offered for sale or supplied during the base period and by section 16 (b) (current records) of the same regulation, which requires each seller of logging services to prepare and preserve for a period of two years such customary records showing the prices charged for logging services supplied, or the basis upon which ceiling prices were determined for such services as were not supplied nor offered for sale during the base period. Those records under section 16 (b) of the General Ceiling Price Regulation relate to the sales of contract logging services, now covered by this ceiling price regulation, between January 26, 1951, and May 16, 1951, the effective date of Ceiling Price Regulation 34 (Services). For the period from May 16, 1951, to the effective date of this regulation the record and reporting requirements of CPR 34 shall apply. The base period under the General Ceiling Price Regulation and CPR 34 is December 19, 1950, to January 25, 1951, inclusive.

SEC. 5. *Transfers of business and equipment.* If business assets or equipment are sold, or otherwise transferred, after the effective date of this regulation, and the transferee carries on the business or continues to deal in the same type of service or commodity, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 6. *Evasion.* Any practice which results in obtaining directly or indirectly a higher price than is permitted by this regulation is a violation of this regulation. Such practices include, but are not limited to devices making use of premiums, discounts, special privileges, tie-in agreements and trade understandings.

SEC. 7. *Penalties.* Persons violating any provision of this Ceiling Price Regulation 48 are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act of 1950.

SEC. 8. *Petitions for amendment.* Persons seeking any amendment of this Ceiling Price Regulation 48 may file petitions for amendment in accordance with the provisions of Price Procedural Regulation 1, revised (16 F. R. 4974).

SEC. 9. *Applications for adjustment—*(a) *When adjustments may be granted.* (1) The Director of Price Stabilization may adjust the ceiling prices of pulpwood contract logging services established by this regulation in any case in which he finds that the contractor encounters costs which render him unable to undertake or maintain his production at these ceiling prices and that either:

(i) Undertaking or continuance of such service is required to meet a military or essential civilian need, or

(ii) Loss of the contractor's services will force the consumer to resort to higher priced methods or sources of supply, and that no adequate substitute for that service is available to the consumer at a price equal to or lower than the adjusted ceiling price which he requests.

(2) The Director of Price Stabilization may permit a consumer to incur a total cost in excess of the appropriate ceiling price established by Ceiling Price Regulation 38 (Ceiling Prices for Pulpwood Produced in Northeastern States) if he finds:

(i) That the stumpage cost, if acquired after May 16, 1951, is reasonable, and that

(ii) The stumpage cost plus contract logging services must exceed the appropriate ceiling price in Ceiling Price Regulation 38 if the pulpwood is to be produced.

(3) Notwithstanding any of the above provisions of this section, the Director of Price Stabilization may deny any application filed under said section if he finds:

(i) That the proposed adjustment would be used by the purchaser to obtain a buying advantage over competing purchasers of pulpwood or logs, or of contract logging services of any sort or description, or

(ii) That the purchaser cannot absorb the amount of the adjustment in the ceiling price or prices for his end product or products legally established and in effect at the time the application for adjustment is filed.

(b) *Amount of adjustment.* The relief granted under this section shall be limited to the amount necessary to permit the production of the pulpwood involved.

(c) *Form of application, place and time of filing.* All applications for adjustment filed under paragraphs (a) (1) and (2) of this section must be filed with the Office of Price Stabilization, Forest Products Division, Pulp, Paper and Paperboard Branch, Washington 25, D. C., by the contractor and purchaser jointly, except when the sole service provided is trucking; then only the purchaser need file in the above manner.

At least 20 days prior to the commencement of any operation, an application should be filed in the above manner on OPS Public Form No. 31 (Application for Adjustment of Pulpwood Contract Logging Services) to show an estimated cost analysis; such estimated cost analysis need not be filed for contracts which are in the process of being fulfilled on the effective date of this regulation. Prior to final settlement of any contract involving an adjustment under this section, OPS Public Form No. 31 (Application for Adjustment of Pulpwood Contract Logging Services) showing actual cost analysis, must be filed in the above manner except for the exclusive service of trucking, in which case only the purchaser shall file a statement that the contract has been completed and setting forth the actual price to be paid. The above named form may be obtained from the Office of Price Stabilization, Forest Products Division, Pulp, Paper and Paperboard Branch, Washington 25, D. C. or from the local District or Regional Office of the Office of Price Stabilization.

(d) *Effective date of adjustment.* Unless the Director of Price Stabilization shall by notice mailed to the applicants within 20 days from the date of filing either estimated cost analysis or actual cost analysis on OPS Public Form No. 31 (Pulpwood Contract Logging Services) respectively, disapprove, adjust, request additional information, or extend the time within which to do any of the foregoing, such application shall be deemed to have been conditionally approved, subject to retroactive written adjustment at a later time by the Director of Price Stabilization, but not later than 20 days following the filing of the actual cost report.

SEC. 10. *Adjustable pricing.* Any seller of logging services may agree to sell or sell at a price which can be increased up to the ceiling price in effect at the time of the completion of such services, but no such seller may agree to sell or sell at prices to be adjusted upward in acordance with any increase in a ceiling price after performance or completion of contract logging services. However, where applications for adjustment pursuant to section 9 of this regulation have been filed, logging service contracts may be consummated in accordance with the provisions of that section.

SEC. 11. *Prohibitions.* (a) On and after June 27, 1951, regardless of any contract, lease, agreement or other obligation, no person shall sell or provide contract logging services rendered in connection with the production and/or transportation of pulpwood cut from mill-owned or controlled stumpage in the States of Maine, Vermont, New Hampshire, Connecticut, Massachusetts and all of the State of New York except the counties of Chautauqua, Catteraugus, Allegany, Steuben, Chemung, Tioga, Sullivan, Orange and Rockland, and no person shall buy or receive such contract logging services, in the regular course of trade or business, at prices in excess of the ceiling prices established by this regulation; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

(b) On and after June 27, 1951, regardless of any contract, lease, agreement or any other obligation, no purchaser, in the regular course of trade or business, of contract logging services rendered in connection with the production and/or transportation of pulpwood in the aforesaid states, shall incur a total cost for such pulpwood, including stumpage, production and delivery costs, in excess of the appropriate ceiling prices provided in Ceiling Price Regulation 38 (Ceiling Prices for Pulpwood Produced in the Northeastern States) nor shall any such purchaser agree, offer, solicit, or attempt to do any of the foregoing except as provided in section 9 of this regulation.

SEC. 12. *Less than ceiling prices.* Lower prices than those set forth in section 13 of this regulation may be charged, demanded, paid or offered.

SEC. 13. *Ceiling prices for contract logging services.* (a) The ceiling price per cord for contract logging services rendered in connection with the production and/or transportation of pulpwood in each of the zones hereinafter indicated shall not exceed the following when such pulpwood is delivered at the seller's expense at the points indicated.

ZONE 1—STATE OF MAINE

	F. o. b. car	Lake or stream	Roadside	Delivered mill by truck (up to 20-mile truck haul)
Spruce and fir:				
Peeled	$17.00	$16.25	$14.00	$17.25
Rough	13.00	12.25	9.50	13.25
Hemlock:				
Peeled	17.00	16.25	14.00	17.25
Rough	13.00	-------	9.50	13.25
Poplar:				
Peeled	16.00	15.25	13.00	16.25
Rough	12.50	-------	9.00	12.75
Northern hardwood:				
Peeled	18.25	-------	14.75	18.50
Rough	14.00	-------	10.00	14.25
Pine:				
Peeled	16.00	15.25	13.00	16.25
Rough	12.50	-------	9.00	12.75

In the case of pulpwood delivered to the mill by truck where the haul from roadside (as defined in section 3) to the mill exceeds 20 miles, there may be added to the appropriate delivered mill by truck price, a sum not to exceed the appropriate differential provided below.

Distance, miles	Rough spruce, fir, poplar, hemlock and pine, and peeled northern hardwood	Rough northern hardwoods	Peeled spruce, fir, poplar, hemlock, and pine
20–40	$1.25	$1.40	$1.10
40–60	2.50	2.80	2.20
60–80	3.75	4.20	3.30
80–100	4.50	5.05	4.00
100–120	5.00	5.55	4.45
Over 120	5.25	5.80	4.65

ZONE 2

The State of New Hampshire and in the State of Vermont the Counties of Essex, Caledonia, Orleans, Lamoille, Washington, Orange, Chittendon, Franklin, Grand Isle and the Towns of Norwich, Hartford, Hartland, West Windsor, Windsor, Weathersfield, and Springfield in Windsor County and that portion of the State of Massachusetts East of the Connecticut River.

Price group	F. o. b. car	Lake or stream	Roadside	Delivered mill by truck (up to 20-mile truck haul)
Spruce and fir:				
Peeled	$19.75	$19.25	$16.50	$20.00
Rough	14.75	14.25	11.00	15.00
Hemlock:				
Peeled	18.50	18.00	15.25	18.75
Rough	14.00	-------	10.25	14.25
Poplar:				
Peeled	17.75	17.25	14.50	18.00
Rough	13.75	-------	10.00	14.00
Northern hardwood:				
Peeled	20.25	-------	16.50	20.50
Rough	15.25	-------	11.00	15.50
Pine:				
Peeled	17.25	16.75	14.00	17.50
Rough	13.25	-------	9.50	13.50

In the case of pulpwood delivered to the mill by truck where the haul from roadside (as defined in section 3) to the mill exceeds 20 miles, there may be added to the appropriate delivered mill by truck price a sum not to exceed the appropriate differential provided below.

Distance, miles	Rough spruce, fir, poplar, hemlock and pine, and peeled northern hardwood	Rough northern hardwoods	Peeled spruce, fir, poplar, hemlock, and pine
20–40	$1.50	$1.70	$1.30
40–60	2.75	3.10	2.45
60–80	3.75	4.20	3.30
80–100	4.50	5.05	4.00
100–120	5.00	5.55	4.45
Over 120	5.25	5.80	4.65

ZONE 3

In the State of Vermont, the counties of Addison, Rutland, Bennington and Windham and the Towns of Rochester, Bethel, Royalton, Sharon, Stockbridge, Barnard, Pomfret, Bridgewater, Woodstock, Plymouth, Reading, Ludlow, Cavendish, Baltimore, Weston, Andover, and Chester in Windsor County, that portion of the State of Massachusetts west of the Connecticut River and all of the State of New York except Chautauqua Co., Cattaraugus Co., Allegany Co., Steuben Co., Chemung Co., Tioga Co., Sullivan Co., Orange Co., and Rockland Co., and the State of Connecticut.

Price group	F. o. b. car	Lake or stream	Roadside	Delivered mill by truck (up to 20-mile truck haul)
Spruce and fir:				
Peeled	$20.75	$19.75	$17.50	$21.00
Rough	15.75	14.75	12.00	16.00
Hemlock:				
Peeled	18.75	-------	15.50	19.00
Rough	14.25	-------	10.50	14.50
Poplar:				
Peeled	17.75	-------	14.50	18.00
Rough	13.75	-------	10.00	14.00
Northern hardwood:				
Peeled	20.75	-------	17.00	21.00
Rough	15.75	-------	11.50	16.00
Pine:				
Peeled	17.75	-------	14.50	18.00
Rough	13.75	-------	10.00	14.00

In the case of pulpwood delivered to the mill by truck where the haul from roadside (as defined is section 3) to the mill exceeds 20 miles, there may be added to the appropriate delivered mill by truck price a sum not to exceed the appropriate differential provided below.

Distance, miles	Rough spruce, fir poplar, hemlock and pine, and peeled northern hardwood	Rough northern hardwoods	Peeled spruce, fir, poplar, hemlock, and pine
20-40	$1.50	$1.70	$1.30
40-60	2.75	3.10	2.45
60-80	3.75	4.20	3.30
80-100	4.50	5.05	4.00
100-120	5.00	5.55	4.45
Over 120	5.25	5.80	4.65

(b) *Salvage timber differential.* When the consumer and contractor can demonstrate that a payment is necessary to cover abnormal expenses incurred in the salvage of timber damaged in the November, 1950, hurricane; and further, provided that this payment is the least expensive means of procuring such pulpwood, the appropriate ceiling prices for pulpwood contract logging services set forth in paragraph (a) of this section may be increased by no more than $3.00 per cord. Such payments for salvage timber may be paid only to a contractor and only if application is made to the Office of Price Stabilization, Forest Products Division, Pulp, Paper and Paperboard Branch, Washington 25, D. C., in each separate instance for approval to make such payment and prior to such payment. The application shall set forth the reasons why such payment is necessary and shall include a statement prepared by the contractor and consumer showing stumpage, labor and equipment costs necessitating the payment of this differential in excess of the ceiling prices established in the tables set forth in paragraph (a) of this section. The application shall also include a signed statement from the state or local forest fire official having jurisdiction over the area, stating that such salvage is in the public interest, and outline any special measures which the forest fire service prescribes to be followed in such salvage work. Unless the Office of Price Stabilization shall, by notice mailed to the applicant within 20 days from the date of filing such application, disapprove, adjust, request additional information, or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Stabilization.

(c) *Highway taxes and toll charges.* When it is necessary for the contractor performing a trucking service to pay per ton mile road taxes on highways to a state or other governmental agency in addition to the regular truck registration fee, or to pay toll fees on highways, bridges and ferries, a sum not to exceed the actual charges may be added to the appropriate ceiling price.

(d) Any person or persons may sell and any person or persons may buy one or more partial logging services at prices acceptable to both parties: *Provided, however,* That at the point where the pulpwood is delivered to the consumer, the total of all the prices paid for the individual partial operations which comprise the complete logging service may not exceed the appropriate ceiling price or prices established under this regulation.

Effective date. This Ceiling Price Regulation 48 shall become effective June 27, 1951.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 22, 1951.

[F. R. Doc. 51-7297; Filed, June 22, 1951; 10:58 a. m.]

[Distribution Regulation 1, Amendment 6]

DR 1—FAIR DISTRIBUTION OF LIVESTOCK AND MEAT

INCREASED QUOTAS FOR DELIVERIES TO ARMED FORCES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 5 (16 F. R. 1273), this Amendment 6 to Distribution Regulation 1 (16 F. R. 1273) is hereby issued.

Preamble. Immediately after livestock slaughter quotas were established under Distribution Regulation 1 many suppliers of meat to the Armed Forces were confronted with the problem of supplying their proportion of the civilian needs at the same time that they were committed to make substantial deliveries to the Armed Forces. In order to alleviate this condition, Class 1 (federally inspected) slaughterers who supplied the Armed Forces were permitted to make application to the Office of Price Stabilization for additional quota to meet the Armed Forces commitments. The adjustments were made on the basis of an increase of quota to the extent that the deliveries to the Armed Forces exceeded the deliveries made by the slaughterer to the Armed Forces during the corresponding period in 1950. These adjustments were made on an individual basis and imposed a great administrative burden on the Office of Price Stabilization. These individual adjustments also had a strong tendency to disrupt the livestock markets in particular areas. For instance, if a number of quota adjustments were made for slaughterers in the Los Angeles area the amount of livestock needed to fill the Armed Forces orders caused a severe shortage of livestock in that particular market. Conversely, other areas in which adjustments were not made because Armed Forces contracts were not available had an ample supply of livestock and slaughterers could obtain enough supplies to fulfill their quotas. As a result of this condition, the Armed Forces were unable to secure meat to meet their needs. This method of obtaining supplies for the Armed Forces was also deficient in that it did not provide a means for non-slaughtering contractors to secure meat to fulfill their contracts.

After conferences among officials of Office of Price Stabilization, the Armed Forces, and the Department of Agriculture, it was agreed that some more positive method of securing supplies for the Armed Forces would have to be adopted. As an interim measure this amendment to Distribution Regulation 1 is issued. This will permit all Class 1 slaughterers (Class 2 or non-federally inspected slaughterers do not furnish meats on Armed Forces contracts) to increase their quota on cattle and their quota on swine to the extent to which they transfer meat resulting from such slaughter to the Armed Forces or for ultimate delivery to the Armed Forces. The quota increase may not exceed 15 percent of the slaughterers' quota for cattle and 15 percent of his quota for swine. The amendment also requires the meat to be transferred within 30 days from the time of slaughter; requires slaughterers to obtain evidence from non-slaughtering contractors that the meat they receive is to be used for the fulfillment of contracts with the Armed Forces; sets forth in an appendix to the regulation the conversion factors for various meat products; requires certain reports to be made by the Class 1 slaughterer covering transfers of meat for the Armed Forces.

As soon as a permanent method of securing meat supplies for the Armed Forces has been determined, Distribution Regulation 1 will be amended accordingly.

AMENDATORY PROVISIONS

Distribution Regulation 1 is amended in the following respects:

1. Section 16 is added to read as follows:

SEC. 16. *Quota adjustments for sales to the Armed Forces.* (a) If you are a registered Class 1 slaughterer your quota for cattle and your quota for swine for accounting periods beginning on or after June 3, 1951 may be increased to the extent to which you transfer meat, resulting from your slaughter of cattle and swine, to the Armed Forces or for ultimate delivery to the Armed Forces, subject to the following conditions:

(1) The quantity of quota increase may not exceed 15 percent of your quota for cattle and 15 percent of your quota for swine for the accounting period;

(2) The transfer of meat to the Armed Forces or for ultimate delivery to the Armed Forces must be in fulfillment of a valid contract with the Armed Forces or if you are not the prime contractor your transfer of meat must be made only to persons who will fulfill prime contracts with the Armed Forces or to persons who are supplying prime contractors;

(3) The meat resulting from your slaughter of cattle and swine under this section must be transferred to the Armed Forces within 30 days from the time of slaughter;

(4) The transfer of meat to persons who will fulfill prime contracts with the Armed Forces or to persons who are supplying prime contractors may only be made after the Class 1 slaughterer has

received evidence that the meat is to be used for the fulfillment of contracts with the Armed Forces.

(b) You will determine the number of pounds live weight of cattle and swine you may slaughter pursuant to paragraph (a) of this section by applying the appropriate conversion factors set forth in Appendix A to this regulation.

(c) At the time you file Form LS–149 under section 12 of this regulation you must include with such form a summary of (1) transfers of meat to the Armed Forces; (2) transfers to persons who are supplying meat to the Armed Forces; and (3) transfers to persons who are supplying others for delivery to the Armed Forces. The summary must include the quantity of meat transferred by type (beef or pork), the date of slaughter of the cattle and swine for such transfer, the persons to whom the meat was transferred, the addresses of such persons, the dates of transfer, the Armed Forces contract dates and numbers and the names of the persons with whom such contracts were made.

2. Appendix A is added to read as follows:

APPENDIX A—CONVERSION TABLE

(Under Section 16)

To arrive at live weight, multiply the meat transferred in the following forms by the multipliers listed below; the live weight, not to exceed 15 percent of your quota, is then added to your quota under Section 3.

Description of product	*Conversion factor (multiplier)*
BEEF:	
Fresh or frozen:	
Carcass, Army specifications, bone-in	1.69
Army specifications, boneless	2.42
Boneless fresh cuts	3.24
Other boneless fresh cuts	2.42
Bone-in fresh cuts:	
Forequarter	1.75
Hindquarter, flank off	1.81
Hindquarter, flank on	1.64
Back	1.80
Brisket	1.64
Chuck, square cut	1.88
Chuck, cross cut	1.80
Loin, full, kidney and suet in	1.61
Loin, full, kidney and suet out	1.93
Loin, short, kidney and suet in	1.32
Loin, short, kidney and suet out	1.93
Plate, regular	1.76
Plate, short or navel	1.76
Rib, regular	1.71
Round, rump and shank on	1.64
Round, rump and shank off	2.00
Rump	1.29
Sirloin or sirloin butt	1.92
Sirloin strip	1.93
Triangle or rattle	1.78
Cured Beef:	
Corned beef	2.30
Dried or chipped beef, sliced and unsliced	4.86
PORK, fresh or frozen (excluding lard):	
Carcass, packer style	1.75
Boneless cuts	2.07
Bone-in cuts:	
Boston butts	1.98
Fatbacks	1.84
Hams, regular	1.65
Hams, skinned, fatted	1.75
Loins, regular	1.77
Loins, semi-boneless	1.93
Picnics, regular	1.72
Shoulders, regular	1.86
Shoulders, skinned	1.89
Spareribs	1.42
PORK, smoked, cured and prepared:	
Bacon, Canadian	2.23
Bacon, slab, skin on	2.12
Bacon, slab, skin off	2.30
Bacon, sliced	2.30
Fatbacks	1.91
Hams, regular	1.65
Hams, skinned, fatted	1.75
Picnics, regular	1.72
Other pork, smoked, cured or preserved: Boneless and/or skinless	1.93

CANNED MEATS:	*Beef*	*Pork*
Bacon, slab or sliced	----	2.30
Beans, oven baked with pork	----	.26
Baked beans with pork and tomato sauce	----	.07
Beans with frankfurter chunks	.42	.32
Beef and gravy	2.72	----
Beef and pork loaf	2.20	.28
Beef and vegetables with gravy	1.30	----
Chili con carne with beans	.85	----
Chili con carne without beans	1.30	----
Chopped ham	----	2.11
Chopped ham and eggs	----	1.05
Cooked ham	----	2.11
Corned beef	3.54	----
Corned beef hash	1.67	----
Frankfurters	1.40	1.05
Ground meat and spaghetti	1.27	----
Ham and lima beans	----	1.23
Ham chunks	----	2.00
Hamburgers with gravy	2.23	----
Hamburgers without gravy	4.52	----
Meat and beans with tomato sauce	1.22	.21
Meat balls and spaghetti	1.22	----
Pork and applesauce	----	1.68
Pork and beef luncheon meat	1.52	1.05
Pork and gravy	----	1.89
Pork luncheon meat	----	2.11
Pork sausage	----	2.04
Pork sausage links	----	1.96
Pork sausage patties with gravy		1.81
Pork sausage patties without gravy	----	2.07
Smoked ham	----	2.11
Sausages and meat loaves, not canned:		
Bologna	1.26	.95
Bologna, beef	2.52	----
Cocktail sausage	2.52	----
Frankfurters	1.26	.95
Frankfurters, beef	2.52	----
Head cheese	----	.35
Liverwurst or liver sausage	----	1.07
Luncheon meat	.76	1.54
Pork sausage, fresh	----	2.12
Salami, cooked	1.28	1.14
Vienna sausage	1.37	.95
Other sausages and meat loaves	1.09	.88

NOTE. The record keeping and reporting requirements contained in this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment is effective June 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 22, 1951.

[F. R. Doc. 51–7300; Filed, June 22, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 36]

GCPR, SR 36—RESELLERS OF DRUMMOND DOLOMITE

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 36 to the General Ceiling Price Regulation is issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation is issued in order to eliminate a replacement "squeeze" on resellers of dolomite stone quarried by Drummond Dolomite, Inc., and shipped by water from Drummond Island, Michigan. The quarrier in this situation stopped shipments prior to December 1950, when the waterways froze over. There having been no deliveries by the quarrier during the base period of the General Ceiling Price Regulation, the quarrier had no ceiling prices. He applied for the establishment of a ceiling price for his sales of dolomite stone under section 7 of the General Ceiling Price Regulation. The ceiling prices so established (by Order L–9 under GCPR, section 7) were prices lower than generally prevailing in the area for similar stone received from other sources.

Following their past practices, resellers of this product had stocked up, and were able to make deliveries of the stone throughout the winter at prices based upon their costs for shipments received in 1950, and consequently were frozen at such prices under section 3 of the General Ceiling Price Regulation. This supplementary regulation permits them to increase their prices based on their 1950 cost by the amounts of increase over the 1950 price given to the manufacturer. Further, since the cost of shipping a ton of this stone virtually equals its f. o. b. price per ton, it is not fair and equitable to require the reseller to absorb any increases in such freight costs. This action, therefore, also permits the reseller to pass through the dollar-and-cents amount of the cost increase incurred by him by reason of increased rates for water shipment.

REGULATORY PROVISIONS

Sec.
1. Purpose.
2. Modification of ceiling prices.
3. Miscellaneous.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 8 CFR, 1950 Supp.

SECTION 1. *Purpose.* The purpose of this supplementary regulation is to modify ceiling prices for resellers of dolomite (high magnesium) stone, quarried at Drummond Island, Michigan, and shipped by lake vessel from that point.

SEC. 2. *Modification of ceiling prices.* (a) Resellers of dolomite (high magnesium) stone purchased from Drummond Dolomite, Inc. and received by water shipment may increase their ceil-

ing prices as otherwise established under section 3 of the GCPR, by the following amounts for the respective grades and basic sizes of such stone:

Grade	Basic size	Increase per ton
1	2½ by 6 inches	10¢
3	2½ by 1½ inches	10¢
4	1½ by ¾ inches	10¢
5	¾ by ⅝ inches	10¢
6L	⅝ by ⅜ inches	(1)
6S	⅜ by ¼ inches	(1)
7	¼ by ⅛ inches	(1)

[1] Where resellers' GCPR prices were based on quarrier's 1950 f. o. b. price of $1.00 per ton, reseller adds 40 cents; where based on quarrier's 1950 f. o. b. price of $1.23 per ton, add 17 cents.

(b) *Freight.* Resellers may also add to their ceiling prices the dollar-and-cent amount by which the cost of freight incurred by them on inbound water shipment of dolomite stone has increased since the close of the 1950 shipping season.

SEC. 3. *Miscellaneous.* Except as herein specifically modified all of the provisions of the General Ceiling Price Regulation remain in effect.

Effective date. This Supplementary Regulation 36 to the General Ceiling Price Regulation shall become effective on the 22nd day of June 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 22, 1951.

[F. R. Doc. 51-7298; Filed, June 22, 1951; 10:58 a. m.]

[General Overriding Regulation 8, Amendment 2]

GOR 8—PAPER, PAPERBOARD, CONVERTED PAPER AND PAPERBOARD PRODUCTS, ALLIED PRODUCTS AND SERVICES

EXEMPTION OF SERVICES OF DRIVING, BOOMING AND THE RAFTING OF PULPWOOD IN THE NORTHEASTERN STATES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Amendment 2 to the General Overriding Regulation 8 is hereby issued.

STATEMENT OF CONSIDERATIONS

General Overriding Regulation 8 created a clearing house for future exemptions for specific paper, paperboard, converted paper and paperboard products, allied products and services. This amendment exempts from all price control the services of driving, booming and rafting of pulpwood in the States of Maine, Vermont, New Hampshire, Connecticut, Massachusetts, and all of the State of New York except nine of the counties comprising the southern tier of the State.

The services of driving, booming and rafting are performed in connection with the floating of pulpwood to the consuming mill. At one time the bulk of the wood consumed by mills in the area covered by this amendment was transported to mills by this means. In recent years, however, as timber in close proximity to the rivers has been harvested, rail and truck movements of wood have predominated. It is estimated that in 1951 only about 100 thousand cords, or 3 percent, of the pulpwood consumed in this area will be "driven" to mills; the balance will move by rail and truck.

The driving of wood is initiated in the Spring of the year, when, following the melting of snow and ice, favorable water conditions exist. It is necessary, therefore, that the required labor and equipment be assembled at the proposed scene of operations in advance of the Spring break-up; sometimes, an assembled crew must wait several weeks for favorable driving conditions. The duration of a drive and size of the crew required are greatly affected by the quantity of wood to be transported and by water conditions, and drives normally extend from early Spring to Fall. Contracts are now being made for pulpwood to be driven in 1952. The presence of the variables indicated above results in a different level of costs for each operation, and makes it impossible to establish ceiling prices for these services which would be fair and equitable and would be administratively practicable.

This action decontrolling the prices of driving, booming and rafting services will not result in inflationary prices for such services or for the wood involved because of the very limited amount of wood transported by this means and because the products manufactured from pulpwood are controlled.

Therefore, in consideration of the above facts, the Director of Price Stabilization finds that Amendment 2 to General Overriding Regulation 8 is generally fair and equitable and contains such exemptions as in his judgment are necessary and proper to effectuate the purposes of the Defense Production Act of 1950.

AMENDATORY REGULATIONS

General Overriding Regulation 8 is amended in the following respects:

1. Section 1 (a) is amended by the addition of subparagraph (4) after subparagraph (3) to read as follows:

(4) Sales of the services of driving, booming and rafting of pulpwood in the States of Maine, Vermont, New Hampshire, Connecticut, Massachusetts and all of the State of New York except the counties of Chautauqua, Cattaraugus, Allegany, Steuben, Chemung, Tioga, Sullivan, Orange and Rockland.

2. Section 2 (a) is amended by the addition of subparagraph (4) after subparagraph (3) to read as follows:

(4) "Driving, booming and rafting" comprise those services necessary to the movement of pulpwood by water.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective June 27, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 22, 1951.

[F. R. Doc. 51-7299; Filed, June 22, 1951; 10:58 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 7—POSTAL REVENUES AND OTHER PUBLIC FUNDS; SOURCES AND DISPOSAL OF

PART 70—GENERAL PROVISIONS

PART 71—ISSUE OF DOMESTIC MONEY ORDERS

PART 72—PAYMENT OF DOMESTIC MONEY ORDERS

PART 73—REPAYMENT OF MONEY ORDERS: DUPLICATE ORDERS; PAYMENT OF INVALID ORDERS BY WARRANT

PART 75—SEMIDOMESTIC MONEY ORDER SERVICE

PART 77—MONEY ORDER BUSINESS ON RURAL ROUTES

PART 155—FORMS OF THE POST OFFICE DEPARTMENT

REVISION OF THE MONEY ORDER SYSTEM

The following regulations are issued under authority of R. S. 161, 396, 4027, 4028, sec. 1, 25 Stat. 654, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 711, 712.

1. In § 7.9 *Deposits* strike out paragraph (e).

2. In § 70.6 *Correspondence* amend paragraph (c) to read as follows:

(c) *Inquiries relating to payment of money orders.* Inquiries concerning the payment of money orders may be made of a postmaster who will complete form 6401 addressed to the regional accounting office which serves the region in which the office of issue is located. An inquiry should not be sent until 15 days after issue of the order, unless the remitter exhibits a letter from the payee denying receipt, written after ample time has elapsed for the order to have been received.

3. Amend § 71.1 *Offices upon which orders may be drawn* to read as follows:

§ 71.1 *Orders not to be drawn on a particular post office.* Money orders shall be issued on the domestic form for payment at any post office in the United States and its outlying possessions and dependencies, including the Canal Zone, and at any post office in the foreign countries with which the United States transacts money order business on the domestic basis.

4. In § 71.6 *Identification of payee by signature* amend paragraphs (a) and (b) to read as follows:

§ 71.6 *Identification of payee by signature*—(a) *When remitter and payee are same.* When the remitter of a money order purchases it in favor of himself, the issuing postmaster shall question the applicant, and if he is not sure that he can prove his identity at the post office at which he intends to present the order for payment, the postmaster shall procure and transmit to the postmaster at that office a specimen of the signature of the remitter-payee on Form 6339, on the back of which the correct particulars of the money order shall be entered. In such case the issuing

postmaster shall write or stamp on the back of the money order the words "Specimen signature of payee sent on Form 6339." When a postmaster has no Form 6339, a slip of paper describing the order and bearing the signature together with a statement of the issuing postmaster that it is the signature of the payee may be substituted.

(b) *When remitter and payee are different.* When the remitter and payee are different persons the issuing postmaster upon request shall attach a specimen of the payee's signature to Form 6339 and transmit it to the postmaster at the office at which the payee intends to present the order for payment. The Form 6339 shall be sent in a sealed penalty envelope with a statement to the effect that the signature was furnished by the remitter.

5. In § 71.10 *Application for money order* amend paragraph (b) as follows:

a. Strike out the words "and coupon" in the first sentence.

b. Strike out the second sentence and substitute in lieu thereof the following: "The application form should not be prepared for the remitter by a postal employee."

6. In § 71.10 *Application for money order* strike out paragraph (c).

7. Amend § 71.11 *Issue of money order* to read as follows:

§ 71.11 *Issue of money order.*—(a) *Not drawn on a particular post office.* A money order shall not be drawn on a particular post office.

(b) *Stamp, number, and fee on application.* The impression of the office dating stamp showing date of issue, the serial number of the order to be issued, and the fee to be charged shall be entered on the application. The issuing employee shall initial the application in the space to the left of the word "Fee."

(c) *Number to be stated in correspondence.* The serial number printed on the upper right corner of the money order shall be used in designating the order in accounts and correspondence. In correspondence, the complete number (including the region number prefix) shall be stated, as No. 8–11,373,896.

(d) *Date.* The date affixed to the order and receipt by the issuing postmaster shall be the actual date of issue.

(e) *Purchaser's receipt.* The money order, with purchaser's receipt partially removed, shall be delivered to the remitter, who shall retain the receipt and forward the order to the payee.

(f) *Limit of amount.* The maximum amount for which a single money order may be issued is $100 (see § 71.7); but there is no restriction as to the number of domestic money orders which may be issued to the same remitter.

(g) *In payment for c. o. d. parcels*—(1) *Procedure.* Money orders issued in payment for c. o. d. parcels shall, if possible, be mailed the same day the parcels are delivered. If not, they shall be issued and mailed without fail on the following business day. The name of the sender of the c. o. d. parcel shall be entered as payee on the money order, and the name of the addressee (not the name of the postmaster nor the person receipting for addressee) as remitter. The money order in each case shall be mailed in a penalty envelope to the payee (sender of the parcel). The number of the c. o. d. parcel shall be written or stamped in the space provided for that purpose on the money order. A separate money order shall be issued for the charges collected on each c. o. d. parcel. Where the charges amount to more than $100, two money orders shall be issued in payment of the charges, in which case the serial number of each order shall be entered on the c. o. d. tag constituting the application.

(2) *Purchasers' receipts*—(i) *First-class offices.* At each first-class post office were a. c. o. d. station has been established, money orders in payment for c. o. d. charges shall be issued in the money order section at the main office on groups of money order forms allotted for use by the c. o. d. station, and the separate file of c. o. d. tags constituting the applications for money orders shall be kept there. In the issuance of a c. o. d. money order the purchaser's receipt portion shall be completed by inserting the amount of the order and placing an impression of the office dating stamp in the space provided therefor; in addition, the last two digits of the c. o. d. parcel number shall be written on the purchaser's receipt in the space to the left of the money order serial number. The purchasers' receipts shall be removed from the orders and filed in numerical sequence according to money order serial numbers. In the event of an inquiry relating to a specific c. o. d. money order, this file of purchasers' receipts shall first be consulted; the related c. o. d. tag may then be located by reference to the last two digits of the c. o. d. number recorded on the purchaser's receipt. At first-class offices not having a c. o. d. station, the procedure described in subdivision (ii) of this subparagraph will be followed.

(ii) *Second-class offices.* Money orders in payment of charges on c. o. d. mail shall, if practicable, be issued in consecutive order according to the serial numbers of the money orders, so that the c. o. d. tags for each day's business will be filed together in the money order application file. The c. o. d. tags shall be filed in the money order section with other applications for money orders. The blank purchasers' receipts shall be disposed of as waste paper, except that, in those instances in which a c. o. d. station is authorized at a second-class office, the procedure in subdivision (i) of this subparagraph will be followed.

(iii) *Third- and fourth-class offices.* At third- and fourth-class post offices, the purchasers' receipts from c. o. d. money orders shall be removed and disposed of as waste paper.

8. Amend § 71.12 *Requirement as to name of payee,* to read as follows:

§ 71.12 *Requirement as to payee*—(a) *Name of payee.* An order shall be made payable to only one person or firm. If more than one payee is named in the application, the patron shall be required to submit another application naming but one payee. A money order may be made payable to the remitter if he so desires. If only the surname of the payee is given, the postmaster shall decline to issue the order unless the payee's street address is given for entry with the surname in the order. The order may be issued, however, without the street address under the following circumstances:

(1) If the single name given is the business name of the payee, as "Mason's", "Johnson's Store", or "Madam Saville".

(2) If the payee is designated only by an official title indicative of the capacity in which he is to receive payment, as "Cashier, First National Bank".

(3) If the payee is designated by a name adopted under membership in a religious order, the name and address being so combined as to indicate clearly the person intended, as "Sister Theresa, Academy of Visitation", or "Brother Joseph, St. Anselmo's College".

(b) *Name of remitter.* While only one person can be named payee of a money order, obligations sometimes rest upon two persons and in such instances both may be named as remitters. In such cases, if repayment is desired, both remitters should indorse the order, or one of them should indorse it to the other who should then affix his indorsement.

9. Amend § 71.15 *Error discovered before purchaser has left window* to read as follows:

§ 71.15 *Errors and corrections; before purchaser leaves post office.* No alteration, change, erasure, or substitution, either of words or figures, shall be made in issuing a money order. If an error of any kind occurs in issuing an order, and is discovered before the purchaser leaves the post office, no attempt should be made to change the order in any way, but it shall be treated as "Not Issued" and another one issued and delivered to the remitter. No fee shall be charged for an order treated as "not issued".

10. In § 71.16 *Request for change in order,* amend paragraph (b) to read as follows:

(b) *Money order returned for correction.* If, after the completion of the transaction by delivery to the postmaster of the amount of the order and its fee and the acceptance of the order by the purchaser, the remitter, payee, or other holder of the order should return it for the purpose of changing any of the particulars thereon, it shall be treated as repaid and a new order issued, for which another fee shall be paid. If the order is returned because of a mistake made by the issuing postmaster, the fee for the new order shall be paid by him from his personal funds; or if the remitter prefers the return of the money instead of a new order, the amount of the fee shall be refunded to the remitter from the personal funds of the postmaster.

11. In § 71.17 *Advices* strike out paragraph (c).

12. Section 71.18 *Signing of money orders* is rescinded.

13. Section 71.20 *Blank money order forms* is rescinded.

14. Section 71.21 *"Not issued" form* is rescinded.

15. Section 71.22 *Responsibility for safety of forms* is rescinded.

16. Section 71.23 *Theft of forms* is rescinded.

17. In § 72.2 *Provision for payment of orders* make the following changes:

a. In paragraph (a) strike out the words "drawn upon" in the first sentence and insert in lieu thereof the words "presented at."

b. In paragraph (b) strike out the words "drawn upon" in the first sentence and insert in lieu thereof the words "presented at."

18. In § 72.3 *Payable at any money order office* make the following changes:

a. Amend paragraphs (b), (c), and (d) to read as follows:

(b) *Repayment upon application of remitter; authorization.* The postmaster issuing a money order shall repay the amount of it upon the application of the person who obtained it, and the return of the order; but the fee paid for it shall not be returned. * * * (R. S. 4039, as amended; 39 U. S. C. 728.)

(c) *Terms of payment.* A domestic money order shall be paid at its face value if presented by the payee, remitter, or indorsee at any post office within the period of validity, which is one year from the last day of the month in which issued. A money order may be cashed at a station or branch as well as the main office.

(d) A money order variously receipted or indorsed if presented by the payee, remitter or first indorsee may be paid. Any unnecessary signatures or indorsements should be crossed out.

b. Rescind paragraph (e).

19. Amend § 72.4 *Precautions in paying orders* to read as follows:

§ 72.4 *Precautions in paying orders*—(a) *Examination of order.* When a money order is presented for payment, the paying employee shall examine it to see that it is properly drawn and stamped by the issuing post office, and assure himself that it is not issued on a form reported stolen, and that it is signed by the payee or by a person authorized by the payee to receive payment. If one year or more has elapsed since the last day of the month in which the order was issued, the order shall not be paid; in such event, the instructions contained in § 73.14 shall be observed.

(b) *Discrepancies or alterations.* In case any discrepancy whatever is found between the amount written in the dollars and cents block on the order and the amount written in words and figures in the body of the order, or if the order bears an alteration, the postmaster shall apply immediately to the issuing postmaster on Form 6006 for a correct statement of particulars which shall be given on the reverse of that form. When such application is made, a memorandum thereof shall be written on the reverse of the order by the postmaster, but he shall not retain possession of the order unless he has made a payment or an advance thereon as provided in paragraph (g) of this section. When payment is made in accordance with particulars furnished by a separate advice, such advice shall be filed in the office and retained three years.

(c) *Omission of issuing office dating stamp.* A money order may be paid if the issuing office dating stamp has been omitted, provided the order is regular in all other respects and the payee is known by the postmaster to be a responsible person. In such cases, the paying postmaster shall forward an application for a separate advice (Form 6006) to the appropriate regional accounting office for reference to the issuing postmaster, and hold the indorsed order as cash until in receipt of the required separate advice, properly stamped and dated; the date and office of issue, as stated in the separate advice, shall then be entered on the order in the space "issuing office stamp." The separate advice shall be filed at the paying office and retained three years.

(d) *Omission of remitter's name.* An order may be paid notwithstanding the omission of the name of the remitter, and, unless desired by the payee, request need not be made for a separate advice giving this information.

(e) *Omission of amount.* In case the amount is omitted from the dollars and cents block on the order, but appears in words and figures in the body of the order and as there entered is free of alteration, payment may be made and credit taken therefor without sending for a separate advice, provided the amount paid be written by the paying employee on the face of the order, thus: "Paid $_____." Similarly, if the amount is omitted from the space provided in the body of the order for it to be written in words and figures, but appears in the dollars and cents block in the upper right corner and as there entered is free of alteration, payment may be made without sending for a separate advice, provided the amount paid be written by the paying employee on the face of the order, thus: "Paid $_____." Defects of this kind, however, shall be reported by letter to the Bureau of Finance.

(f) *Amount expressed improperly.* Payment of an order shall not be withheld because the amount in the body of the order is expressed wholly in figures, if the amount thus expressed is the same as that entered in the dollars and cents block in the upper right corner. Words, and not figures, shall always be employed to express the number of dollars in the space provided therefor in the body of the order. The paying postmaster shall report to the Bureau of Finance every case where figures instead of words have been employed in the space for entry of the number of dollars in the body of the order.

(g) *Discrepancy in amount.* In any case of discrepancy between the amount entered in the dollars and cents block in the upper right corner of the order and that written in words and figures in the body of the order, payment may be made on receipt of a separate advice, Form 6006, naming either of those two amounts, if the order is not otherwise irregular. Pending receipt of response to request for a separate advice in such a case, the smaller of the two amounts named, respectively, in the dollars and cents block in the upper right corner of the order and in the body of the order, may be paid if the payee so desires. For any sum thus advanced, the paying employee shall take from the payee a written receipt and hold it (with the order) as representing a corresponding sum in cash until the required separate advice is received. The proper amount shall then be paid, and the formal indorsement of the payee obtained on the order itself. If the sum named in the dollars and cents block on the order differs from that paid, the paying employee shall draw a line across that amount and write across the face of the order a statement of the amount paid, thus: "Paid $_____, in accordance with separate advice." In addition, the amount paid shall be written above the dollars and cents block. Similarly, if the sum named in the body of the order differs from that paid, he shall write across the face of the order the words, "Paid $_____, in accordance with separate advice." The separate advice shall be filed at the paying office and retained three years.

(h) *Discrepancy in c. o. d. order.* When an order issued in payment of a c. o. d. shipment is presented at the shipping office and shows a discrepancy between the amount entered in the dollars and cents block in the upper right corner and that written in the body of the order, the postmaster shall consult his c. o. d. records and pay whichever of the two amounts agrees with those records without awaiting the return of Form 6006, which shall, however, be promptly sent to the issuing office. Upon receipt of the separate advice, if the amount given as correct is the same as that paid, the form shall be filed at the paying office and retained three years. Should the issuing office name another amount as correct, the paying postmaster shall refer the order and returned Form 6006 to the Bureau of Finance for adjustment. All other provisions of these instructions relating to the payment of money orders, not inconsistent, are to be observed in connection with c. o. d. money orders.

(i) *Stolen forms.* Money orders issued on stolen forms shall not be accepted as valid vouchers for disbursements. Notice of every new robbery is printed in bold-faced type in the list of stolen money order forms published in the Postal Bulletin and Supplements to the Official Postal Guide. Postmasters shall keep a current record file of such orders for ready reference, and if a person presents one for payment, he should be detained for questioning, if possible, and a post office inspector and local officers summoned. If the offender flees, the postal employee should record the description of the fugitive and of any accompanying person, with the number of State license and make of car used, if any. The information should be telegraphed or telephoned to the post office inspector in charge if an inspector is not available.

20. Amend § 72.5 *Requirements when paying orders* to read as follows:

§ 72.5 *Requirements when paying orders*—(a) *Identification.* Unless the ap-

plicant for payment is personally known by the postmaster or paying employee to be the owner of the order, he shall be required to prove his identity. Personal indentification by a person financially responsible may be required. Letters, receipted bills, drivers' permits, social security cards, and similar articles cannot be accepted as conclusive proof of identity as they are frequently stolen with money orders. It is expected, however, that after exercise of reasonable precaution money orders will be paid. In no other way can the public make full use of the money order service. Handling cases of identification requires tact and good judgment. Postmasters and paying employees should be courteous and patient and avoid attracting unnecessary attention to the transaction. If a clerk is unable to satisfy himself that an applicant for payment is the owner of the order he should bring the case to the attention of his supervisor, who, when necessary, should take the applicant to the postmaster. The postmaster should assist the applicant so far as practicable to establish his identity as rightful holder of the order, but if the former determines to his satisfaction that an attempt to defraud is being made he should, if possible, communicate with a post office inspector without delay. The initials of the person paying a money order shall be entered on the back of the order, and, if identification is required the paying employee, for his own protection, shall make a brief notation thereon of the proof of identity furnished. Immediately upon payment, the paying employee shall affix an impression of the office dating stamp below the indorsement on the reverse of each money order.

NOTE: See § 71.6 regarding payee who is also remitter and specimen signatures sent as aids to identification.

(b) *Signature by mark.* If signature of payee or indorsee is by mark, it shall be witnessed by a person who can write, and the witness shall be some one other than the postmaster or paying employee.

(c) *Signature different from name on order.* Any signature of the payee not inconsistent with the name given on the order may be accepted by the paying postmaster as sufficient, provided he is satisfied it is the genuine signature of the payee intended.

(d) *Signature of officer.* An order drawn in favor of a public official or officer of a corporation, company, or association, as such, may be paid to his successor, if presented by the latter, who, in receipting for same, shall be required to indicate in writing the capacity in which he acts, thus: "William Jones, treasurer, successor to George Thompson."

(e) *When payee is society or corporation.* When the payee is a society or corporation, the person who has authority to receive payment of moneys due such payee shall receipt the order in his official capacity, and, if occasion arises, the postmaster may require satisfactory proof of such authority.

(f) *Stamped signature in receipt.* All of the requisite signatures to a money order—those of payee, indorsee, or witness to payment—shall be written, preferably in ink; but a stamped signature may be used in place of the written signature of payee or agent of payee in receipts on money orders drawn in favor of, or made payable to, a firm, corporation, association, society, or individual, if beneath it is written the signature of the person receiving payment or executing the indorsement. Under no circumstances shall an indorsement be made by means of a perforating device.

(g) *Signature of agent.* The paying postmaster shall affix or cause to be affixed to the signature of the person receiving payment of a money order any such word or words as may be necessary to explain the right of such person to collect the amount. For instance, where an order drawn in favor of a company is paid to its local manager, the word "Manager" should be made to appear beneath or opposite his signature to the indorsement.

(h) *Use of titles.* The paying postmaster shall not insist on the inclusion or the omission of a title or prefix such as "Dr.," "Rev.," "Prof.," "Madam," or "Mrs.," in the signature to an order, whether or not the payee is designated by such title or prefix in the body of the order.

21. Section 72.6 *Payment of orders from out-of-town banks or Government agencies* is rescinded.

22. Amend § 72.8 *Alleged wrong payment,* to read as follows:

§ 72.8 *Alleged wrong payment.* When a postmaster is notified of the wrong payment of a money order, he shall promptly report the matter to the Bureau of Finance, and on Form 6065 request the regional accounting office to furnish a photostat of the paid order for examination by the complainant. If, after examining the order, the postmaster will obtain his affidavit in duplicate on Form 6337. Both copies thereof, together with the photostat and any other information available, should be transmitted promptly to the Post Office Inspector in Charge of the Division in which the order was cashed.

23. Section 72.9 *Stamping of paid money orders* is rescinded.

24. Amend § 72.11 *Payment to other than person named as payee* to read as follows:

§ 72.11 *Payment to other than person named as payee*—(a) *Transfer of orders.* The payee or remitter of a money order may, by his written indorsement thereon, direct it to be paid to any other person or firm, and the order shall be paid or repaid to the person thus designated upon proper identification. When a money order is presented for payment which purports to have been indorsed by the payee to another person and the postmaster is not in a position to judge whether the signature to the indorsement is the genuine signature of the payee, he should require that the indorsement be guaranteed by someone he has reason to believe is financially responsible. A money order shall not be paid to a second person without written transfer or indorsement to such person by the payee or the remitter in the prescribed form provided on the reverse of the order, except in the following cases:

(1) *On power of attorney.* When the payee or remitter has, by a duly executed power of attorney, appointed some person to collect moneys due or to become due him, in which case the person so appointed should be required, before payment is made to him, to file at the office of payment a copy of such power of attorney.

(2) *On separate written order of payee or remitter.* When the payee or remitter has filed with the postmaster a separate written order authorizing payment to another person, and designating such person by name as the one to receive payment of and to receipt for any specified order, or for all orders payable by the same postmaster to the payee.

(3) *Upon assignment.* When a person or firm makes an assignment, and the assignor intends that money orders payable to him shall be paid to assignee, he should execute a power of attorney or give such written order separate from the instrument of assignment, to be filed in the post office. The person designated to receive payment should receipt the money order as such, indicating beneath his signature the capacity in which he acts.

(4) *On death of payee or remitter.* A money order belonging to a deceased remitter or payee may be paid or repaid to the executor or administrator of the estate appointed by a court. A certified copy of the appointment shall be filed with the postmaster. If the estate is small and administration is not desired, the claimant should submit a copy of Standard Form No. 1055, which should be sent by the postmaster to the Bureau of Finance for instructions. Payments shall be made in accordance with the laws of the State in which the decedent was a resident. Funeral expenses and the doctor's bill for services rendered the decedent during the last illness are prior claims and money orders in the estate may be paid to the undertaker and physician without submission of Form 1055, unless the accounts are disputed, and the orders are not invalid by reason of age.

(5) *To concern which has ceased to exist.* A money order payable to a firm, bank, or company which has ceased to exist shall be paid to the legal representative thereof.

(6) *To committee or guardian.* When a committee, guardian or other person is appointed by a court to act for a person declared incompetent money orders shall not be paid to the ward. All money orders showing the ward as payee or indorsee shall be paid only to the committee, guardian, or other duly designated person, who shall exhibit to the postmaster the authority thus to act for the ward. Such money orders shall be receipted in the name of the ward, followed by the signature and legal designation of the committee, guardian, or other authorized agent.

(7) *To minors.* A money order payable to a minor or remitted by him may be paid to the father or mother thereof as natural guardian, unless legal proceedings have been instituted which

make questionable the claim of the father or mother, in which case the facts should be reported to the Bureau of Finance.

(b) *Stamped impressions of collecting banks not considered indorsements.* The stamp impressions which banks ordinarily place upon orders left with or sent to them for collection are not regarded as indorsements transferring ownership of the orders or within the meaning of the statute which forbids more than one indorsement.

25. Section 72.12 *Order presented by payee after being indorsed by others* is rescinded.

26. Amend § 72.13 *Substitution by payee or remitter of name written in error* to read as follows:

§ 72.13 *Substitution by payee or remitter of name written in error.* The payee or the remitter of an order, but no one else, may substitute any other name for one which he has already written by mistake in the body of the first indorsement thereon, and payment may be made to the person whose name has thus been substituted, if the order is regular in other respects.

27. Section 72.14 *Payment to bank* is rescinded.

28. Section 72.15 *Payment to remitter* is rescinded.

29. In § 72.16 *Payment of orders withheld* amend paragraph (a) to read as follows:

§ 72.16 *Payment of orders withheld*—(a) *Circumstances.* Payment of money orders shall be withheld under the following circumstances:

(1) When the order is presented after the expiration of one year from the last day of the month of its issue.

(2) When the person presenting the order is a second or subsequent indorsee.

(3) When a money order is presented by a person for whom a guardian has been legally appointed and the postmaster has been notified of such appointment, payment of the order shall be refused and the guardian notified that it will be paid when presented by the guardian or by someone to whom he has properly indorsed it.

30. Section 72.19 *Payment by issue of new order* is rescinded.

31. Section 72.20 *Filing of separate advice* is rescinded.

32. Amend § 72.21 *Disposition of coupons and paid orders* to read as follows:

§ 72.21 *Disposition of paid money orders*—(a) *At post offices.* Punch card domestic money orders paid at post offices will be transmitted by official registered mail to the respective central accounting post offices as deposits of surplus funds, except that where the average daily volume does not exceed 25 such orders they may be deposited in local banks for credit to the postmasters' official checking accounts if mutually satisfactory arrangements can be made between the postmasters and the local banks. At post offices where banking facilities are not available or mutually satisfactory arrangements to use such facilities cannot be effected, paid money orders, accompanied by adding machine tapes (or Form 1841 at district offices), shall be forwarded by official registered mail to the central accounting office with the next remittance of surplus funds. Paid money orders shall be listed on adding machine tapes or Form 1841 by amounts only; serial numbers shall not be listed. Postmasters at first-class offices shall not take credit in the money order account for paid punched-card domestic money orders; the only entry in that item of the money order account shall be for paid old-style paper domestic money orders, paid international money orders, and paid money orders issued in the foreign countries with which money order business is transacted on the domestic basis.

(b) *At central accounting office.* Each central accounting office shall consolidate money orders paid at the local office with those received in remittances from other offices and deposit them in the local Federal Reserve Bank or Branch, if such facility is available. If there is no local Federal Reserve Bank or Branch, the paid money orders shall be forwarded by official registered mail to the Federal Reserve Bank or Branch of the district in which the central accounting office is located. All such deposits shall be made for credit in the account of the Postmaster General for surplus money order funds (symbol No. 48–050). The paid money orders will be accompanied by adding machine tapes and Treasury Department Form No. 6594 (certificate of deposit for surplus money order funds) to be receipted and returned by the bank.

(c) *Deposits in Federal Reserve Bank by certain postmasters.* The postmasters of Buffalo, New York; Memphis, Tennessee; El Paso, Houston, and San Antonio, Texas; and Los Angeles, California, will deposit paid money orders in the branch Federal Reserve Bank located in each of those cities, for credit in the account of the Postmaster General for surplus money order funds (symbol No. 48–050). The paid orders will be accompanied by adding machine tapes and Treasury Department Form No. 6594 to be receipted and returned by the bank.

NOTE: All punched-card money orders paid by a bank will be forwarded through banking channels to a Federal Reserve Bank or Branch. These paid orders will not be delivered to a post office for reimbursement.

33. Section 73.1 *Repayment upon application of remitter* is rescinded.

34. Section 73.2 *Repayment to agent of remitter* is rescinded.

35. Amend § 73.5 *Duplicate of lost valid order* to read as follows:

§ 73.5 *Duplicate money orders*—(a) *Application.* Any postmaster may accept from the remitter, payee, or endorsee an application (Form 6402) for a duplicate of a lost or destroyed money order, mutilated money order, or one rendered void by too many endorsements, within one year from the last day of the month of issue of the original. If the Form 6402 is filed at a post office other than the one that issued the original order, it shall be transmitted to the issuing office for certification.

(b) *When application shall be forwarded.* The postmaster at the issuing office shall not certify or forward an application for a duplicate order prior to the expiration of 36 days following the date on which the original was issued and not prior to the 75th day if the remitter or payee is a member of the armed forces. An application may be accepted, certified, and forwarded at once (see paragraph (g) of this section) if the mutilated order accompanies it or the person in whose favor the application is made shall execute a good and sufficient bond of indemnity (Form 6116) in a penal sum not less than the amount of the order, conditioned upon the refund of the amount paid on the duplicate in the event that after payment thereof any other person shall establish a valid claim to the original order, or in case the original has been paid to the rightful owner.

(c) *Certification by issuing postmaster.* In certifying an application for a duplicate order, the issuing postmaster shall compare the particulars of the order as entered therein with the remitter's application from which the original order was issued, to see if all particulars are correctly given. When the application for duplicate is certified by the issuing postmaster, the following shall be written or stamped across the remitter's application from which the original order was issued: "Duplicate applied for in favor of _____ (remitter, payee, or indorsee, as the case may be), _____ 19____."

(d) *Consent of payee or indorsee.* A duplicate of an order lost before indorsement shall be issued to the payee upon his application, but if the order was indorsed the consent of either payee or indorsee shall be obtained before the duplicate is issued to the other; likewise, if the remitter applies for a duplicate in his favor, a waiver of claim by the payee and indorsee, if any, shall be obtained unless the order was lost before mailing or the mutilated order accompanies the application. The consent of payee or indorsee may be obtained either on the reverse of Form 6402 or on Form 6045–B.

(e) *Certificate of genuineness of consent; bond.* When an application for a duplicate order contains one of the forms of waiver of claim required by paragraph (d) of this section, the genuineness of the signature thereto shall be certified by the postmaster at the place where the payee or indorsee resides. Other postmasters shall aid, so far as they may be able, in obtaining the waiver required by this section. If the payee or indorsee is dead, his legal representative shall sign the form and shall be required to exhibit to the postmaster who certifies to such waiver the documentary evidence of his authority to act in that capacity. After the lapse of a reasonable time, if the payee or indorsee, or his legal representative, cannot be found, satisfactory evidence of that fact shall be forwarded to the Bureau of Finance, with the application for duplicate. A blank bond of indemnity, in a penal sum of the amount

of the lost order, shall then, if necessary, be sent to the remitter for execution and return to the Department. The condition of such bond shall be that if, after the issue and payment of a duplicate to the remitter, any other person shall establish a valid adverse claim to the original order, the amount paid on the duplicate will be refunded to the Department upon demand.

(f) *If payee refuses consent.* When an application is made by the remitter of a lost order for a duplicate thereof payable to himself, if the payee will not sign consent to repayment, the postmaster before whom the payee appears shall complete and certify to an application signed by the payee or indorsee for a duplicate to be drawn in favor of such applicant and, after writing across the face of the first application the words "Consent for duplicate in favor of the remitter refused," shall send both applications to the postmaster at the office of issue. The latter shall then notify the remitter that the payee or indorsee demands the duplicate order, and, after changing his records and destroying the application in favor of the remitter, forward the application in favor of the payee or indorsee.

(g) *Forwarding of application to regional accounting office.* Upon completion, each Form 6402 (including those accompanied by a bond of indemnity or by a mutilated, defaced, or illegally indorsed money order) shall be forwarded to the regional accounting office which serves the region in which the issuing office is located, for certification and transmission to the Bureau of Finance.

(h) *Report of money order lost in transit.* When it appears that the money order was lost in the mail, Form 1510 should be completed and handled in accordance with the instructions for Form 1510. If sent by other than registered mail, and the payee indicated on the application for a duplicate that the money order failed to reach him, no further inquiries need be made of him or the postmaster at the office of address before referring both copies of Form 1510 to the proper Post Office Inspector in Charge. In the event the money order was sent by registered mail, Form 1510 shall be sent to the office of address.

36. Section 73.6 *Application for duplicate order* is rescinded.

37. Amend § 73.7 *Recovery of lost order* to read as follows:

§ 73.7 *Recovery of lost order.* When a money order alleged to have been lost comes into the possession of the remitter, payee, or indorsee thereof after application for a duplicate has been made, the postmaster to whom the order is presented shall notify the Bureau of Finance, using Form 6435–A. If a duplicate has not been issued in lieu thereof, the Department may then authorize the payment of such original order. If a duplicate has been issued, the postmaster to whom the order is presented shall write across it the words "Canceled—Duplicate issued." If the person who presents the order requests the postmaster to return it to him, he may do so; but if not, the order shall be sent to the Bureau of Finance, for disposal.

38. Amend § 73.9 *Application for duplicate of order mutilated, defaced, or illegally indorsed* to read as follows:

§ 73.9 *Application for duplicate of order mutilated, defaced, or illegally indorsed.* Application for duplicate of an illegally indorsed or mutilated or defaced money order shall be made on Form 6402 and may be accepted at any post office. The money order shall be forwarded with the application to the regional accounting office.

39. Amend § 73.11 *Where duplicate order may be repaid or paid* to read as follows:

§ 73.11 *Where duplicate order may be paid.* A duplicate money order may be paid at any post office, under the same conditions governing the payment of original money orders.

40. Section 73.12 *Record of payment or repayment of duplicate order* is rescinded.

41. Amend § 73.13 *Precautions against double payment* to read as follows:

§ 73.13 *Precautions against double payment at issuing office.* When a money order more than 36 days old is presented at the issuing office for payment, the postmaster shall examine the related money order applications to ascertain whether an application for a duplicate has been certified and forwarded. Paying employees at stations and branches shall, in case of presentation of such an order, inquire of the main office whether an application for a duplicate has been certified and forwarded. If an application has been certified and forwarded, the postmaster shall retain the money order and notify the Bureau of Finance, using Form 6435–A for that purpose. The Assistant Postmaster General, Bureau of Finance, may then authorize the payment or repayment of the original order, provided a duplicate has not been issued in lieu thereof. If a duplicate has been issued, the postmaster to whom the order was presented shall write across it, with ink, the words "Canceled—Duplicate Issued." If the person who presented the order then requests the postmaster to return it to him, he may do so; but if not, the order shall be sent to the Bureau of Finance, for disposal.

42. In § 73.14 *Payment of invalid money orders* amend paragraphs (d) and (e) to read as follows:

(d) *Application for settlement check.* The holder of an original or duplicate money order which remains unpaid after the lapse of one year from the last day of the month of issue of the original, in order to obtain payment of the amount thereof, shall present such original or duplicate order to the postmaster at any office, who shall assist the patron in completing an application for a settlement check, Form 6403, attach the order thereto, and forward it directly to the Bureau of Finance. However, if the original order is not available, the application should be sent to the issuing postmaster, who shall compare the particulars on Form 6403 with the remitter's application on Form 6001, and if correct, he shall certify in the space provided for that purpose and transmit the Form 6403 to the Bureau of Finance. If the Department is satisfied that the order has not been paid or repaid and that the applicant is entitled thereto, a settlement check for the amount thereof, drawn on the Treasurer of the United States, will be issued without charge to the applicant and mailed to his address.

(e) *Bond of indemnity: application by legal representative.* The Department, however, before issuing a settlement check for the amount of an invalid money order, whether to the remitter, payee, or endorsee, or legal representative, heirs, or assigns of either, may require him or them to furnish a bond of indemnity in a penal sum of the amount of the money order, for the purpose of securing the Department against loss in the event that any other person shall establish a valid adverse claim to the order. In case the owner of the money order is deceased or incompetent, application shall be made by the legal representative of the deceased or incompetent person by executing Standard Form No. 1055. When application is made by administrator or executor, a legal representative of an insolvent bank or firm, or an assignee or trustee, the applicant shall be required to furnish the Department documentary evidence of the appointment to act in that capacity.

43. In § 73.15 *Payment of lost invalid money order* amend paragraphs (b) and (c) to read as follows:

(b) *Application for settlement check.* Application for the issue of a settlement check in lieu of an order invalidated by age, which is alleged to have been lost, shall be made in accordance with § 73.14.

(c) *Conditions for issuance of settlement check.* The regulations governing applications for duplicate money orders, except as otherwise provided in §§ 73.14 and in paragraphs (a) and (b) of this section, shall apply to applications for settlement checks in payment of orders which have become invalidated by age.

44. Amend § 75.2 *Domestic regulations govern* to read as follows:

§ 75.2 *Domestic regulations govern.* With the exceptions stated in §§ 75.3 and 75.4 the regulations concerning domestic money order business shall govern the issuance of money orders for payment in certain foreign countries with which money order business is transacted on the domestic basis. The names of such countries will be found under the title "Postal Money Order System" in Table 1, which apears in Part 1 of the Official Postal Guide. Such orders shall be issued on the domestic form. The money order shall be delivered to the remitter for transmission to the payee.

45. Amend § 75.3 *Form of order* to read as follows:

§ 75.3 *Form of order.* Money orders intended for payment in any of the countries named in Table 1 (Part 1, Official Postal Guide) shall be drawn on the domestic form and shall be delivered to the remitter for transmission to the payee.

46. Amend § 75.4 *Form of application* to read as follows:

§ 75.4 *Form of application.* Applications for the issue of money orders payable in the countries with which business is conducted on the domestic basis shall be made on Form 6001.

47. Amend § 75.5 *Limitation and fees* to read as follows:

§ 75.5 *Limitation and fees.* A money order shall not be issued for more than $100, and the fees shall be the same as for other domestic orders. (For schedule see § 71.7.)

48. Amend § 75.6 *Full particulars in application,* to read as follows:

§ 75.6 *Full particulars in application.* The postmaster shall examine every application for a domestic-international money order and require that the necessary particulars be given therein. The full name and exact address of the payee shall be stated, including the name of the State, colony, or island and the province or parish.

49. Amend § 75.7 *Advices* to read as follows:

§ 75.7 *Orders issued for payment in Canada.* Upon presentation of an application for a money order for payment in Canada, the current authorized discount table shall be consulted. In issuing the money order, the amount received in United States money shall be inserted in the dollars and cents block of the order, and the initials "U. S." shall be inserted in the space to the left of the dollars and cents block. The correct amount in Canadian money, as indicated in the proper discount table, but in no case in excess of one hundred dollars ($100.00), will be written in the space "pay _____ Dollars _____ cents," and the word "Canadian" will be written immediately above the word "dollars" appearing in that space. In indicating the amount of the order by check mark (√) in one of the squares to the left of the dollars and cents block, the check mark will be placed in the space indicating the amount that is equal to or next higher than the amount of the order in United States money.

50. Amend § 75.10 *Correspondence* to read as follows:

§ 75.10 *Correspondence*—(a) *With Canada.* Postmasters are expressly forbidden to correspond with the postal administration of Canada or with Canadian postmasters regarding money orders except when it is necessary to apply for the particulars of an order by means of a separate advice or to forward a separate advice of an order to Canada. Inquiries concerning the payment of orders intended for payment in Canada shall be addressed to the regional accounting office serving the post office at which the order was issued. All other correspondence shall be referred to the Bureau of Finance.

(b) *With other countries.* Inquiries concerning the payment of money orders intended for payment in all other countries named in Table 1 (Part 1, Official Postal Guide) shall be addressed to the regional accounting office serving the post office at which the order was issued. All other correspondence shall be referred to the Bureau of Finance. However, requests for correct particulars of orders issued in all countries named in Table 1 (Part 1, Official Postal Guide), including Canada, may be sent direct to the post offices of issue. (See paragraph (d) of this section.)

(c) *Form.* If within a reasonable time after the issue of an order intended for payment in any of the countries named in Table 1 (Part 1, Official Postal Guide), including Canada, the remitter informs the postmaster that it has not been paid, inquiry shall at once be made of the regional accounting office serving the post office at which the order was issued, using Form 6401.

(d) *Request for correct particulars.* When request for correct particulars of a money order is received by a postmaster in the United States, Form 6006 shall be completed and sent directly to the postmaster from whom the request was received. The same form shall be used to obtain the correct particulars of a money order issued in any country named in Table 1 (Part 1, Official Postal Guide).

51. Amend § 75.11 *Repayment* to read as follows:

§ 75.11 *Repayment*—(a) *How effected.* Repayment of an order issued for payment in one of the countries with which business is conducted on the domestic basis may be effected upon presentation before it has become invalid by reason of age, provided an application for a duplicate has not been certified.

(b) *Return of advice.* When a notice is received from the issuing postmaster abroad that an order drawn on an office in the United States has been repaid, the postmaster shall transmit the corresponding advice or a certificate of nonpayment (Form 6028), to the Bureau of Finance, with the notice from the foreign country, provided a duplicate has not been paid. A memorandum advice on Form 6006, giving the particulars of the order and bearing a notation that the advice or a certificate of nonpayment has been sent to the Department with the notice of repayment, shall be filed with the unpaid advices and retained for one year. If, however, a duplicate has been paid the postmaster shall report the date of payment.

52. Amend § 75.12 *Applications for duplicate orders* to read as follows:

§ 75.12 *Applications for duplicate orders*—(a) *Disposition.* Duplicates of orders are issued in the country of origin. Applications for duplicates of orders issued in the United States shall be forwarded to the proper regional accounting office. Applications for duplicates issued in any of the countries named in Table 1 (Part 1, Official Postal Guide) shall be forwarded to the Bureau of Finance.

(b) *Record.* If the order was issued in any of the countries named in Table 1 (Part 1, Official Postal Guide), the postmaster at the office on which drawn shall, by copying from the application for the duplicate or from the advice of the unpaid order, prepare and file in his office a description of the lost order on Form 6002–A or 6002–B, upon which he shall make a memorandum as follows: "Duplicate applied for in favor of _____ (payee or remitter), _____, 19____," the date to be inserted being that of the certificate.

53. Section 75.13 *Invalid order* is rescinded.

54. In § 77.1 *Money order facilities at rural postal stations* make the following changes:

a. Amend paragraph (a) to read as follow:

§ 77.1 *Money order facilities at rural postal stations*—(a) *Authorization.* Rural postal stations shall be supplied with money order facilities upon their establishment, and money orders shall be issued by clerks in charge of such stations, under the direction of the postmasters at the offices to which the stations are tributary.

b. Amend paragraph (b) (2) to read as follows:

(2) *Permitted to cash orders conditionally.* Clerks in charge of rural stations who are supplied with sufficient funds for the purpose may, with the approval of the postmasters of the offices to which the stations are attached, cash for payees who prove their identity, or for such duly authorized persons as may present the same, money orders presented at such stations for payment. In every case the clerk in charge shall immediately affix to the back of the order, directly below the signature of the payee or indorsee, an impression of station dating stamp or M. O. B. stamp.

55. In § 77.7 *Delivery of order to applicant* amend paragraph (c) to read as follows:

(c) *Treatment of receipt and money order at post office.* When the order is mailed direct to the payee by the postmaster, the purchaser's receipt form, duly stamped and showing the amount, shall be detached from the money order and mailed in a sealed penalty envelope (No. 4) to the remitter.

56. In § 77.9 *Payment of orders through carriers* amend paragraph (c) to read as follows:

(c) *Receipt of carrier for money from postmaster.* In such case the carrier, upon receiving the money from the postmaster, shall execute a receipt therefor on the back of such request.

57. In Part 155, Forms of the Post Office Department (39 CFR Part 155) insert the following new sections in Subpart D.

§ 155.3150 *Form 6401.* This form is used when inquiry is made by a remitter concerning payment of a money order. It is sent by the postmaster to the appropriate regional accounting office and contains space for request of information and space for reply by the Regional Director. The completed form is then transmitted to the remitter.

§ 155.3151 *Form 6402.* This form is the application for duplicate of a lost or mutilated domestic money order or of an order rendered void by too many endorsements. The form contains spaces for data required of the applicant and

space for applicant's signature. It also contains spaces for certification of issuing postmaster and of the regional accounting office and their signatures. On the reverse side are instructions, and space for consent to issue of the duplicate money order by payee or endorsee.

§ 155.3152 *Form 6403.* This form is application for payment of domestic money order invalidated by reason of age. It contains space for data required of the applicant; signature of applicant, and signature of witness. It contains space for the particulars of the money order and for consent of the payee or endorsee. On the reverse side are instructions and also spaces for the certificates of the issuing postmaster and of the regional accounting office.

(R. S. 161, 396, 4027, 4028, sec. 1, 25 Stat. 654, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 711, 712)

The foregoing amendments shall become effective July 1, 1951: *Provided, however,* That the payment and handling of any money order issued prior to July 1, 1951 shall be made pursuant to the regulations in force and effect on the date of issuance.

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-7204; Filed, June 22, 1951; 8:51 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

EXPORT LICENSES REQUIRED FOR PARCEL POST PACKAGES ADDRESSED TO FOREIGN COUNTRIES

The following regulations are interpretative of the regulations issued by the Office of International Trade, Department of Commerce, as applied to the Postal Service.

1. Amend § 127.85b *Export licenses required for articles and parcels addressed to certain foreign countries* (16 F. R. 2657) by the addition of a new paragraph (d) to read as follows:

(d) *Parcel post.* The procedures set forth in this paragraph shall be followed in accepting parcel post packages (surface or air) presented for mailing to foreign countries, except Canada. These instructions do not apply to parcels for United States possessions. It is the responsibility of the mailer in each case to determine whether his shipment is permissible under a general license or whether a validated license is required. If a validated license is required it must be surrendered at the post office when mailing the parcel or parcels comprising the shipment.

(1) *Procedure when the mailer presents a validated license.* The accepting clerk shall compare the contents of the parcel as shown on the customs declaration with the commodities indicated on the license. If the contents appear to be inconsistent with the commodities on the license, the parcel must not be accepted for mailing until the sender presents satisfactory evidence that it contains only the licensed commodities. If no inconsistency is noted in the contents, the accepting clerk shall mark the export license number on the wrapper and accept the parcel for mailing if it is mailable to the country concerned. The export license shall be taken from the mailer and the accepting clerk shall endorse the license on the back with the word "Completed" and apply a legible postmark showing the date and place of mailing, and transmit the completed license under official cover to the Office of International Trade, Department of Commerce, Washington 25, D. C. Partial shipments by mail can no longer be made against a validated export license unless, upon being apprised of the foregoing regulation, the mailer elects to make a partial shipment and surrenders the license with the understanding that it may not be used again. In such cases, before accepting the parcel, the clerk shall require the mailer to enter on the back of the license the amount being shipped. The license is then to be postmarked and disposed of as indicated above.

(2) *Procedure when the mailer does not present a validated license.* (i) As stated in subparagraph (1) of this paragraph, it is the responsibility of the mailer to determine whether a shipment is admissible under general license. The Office of International Trade has provided a general license covering the exportation of gift parcels not exceeding $25 in value mailed by or on behalf of an individual sender to an individual addressee for the personal use of the latter or his family, and limited to items normally sent as gifts, such as food, clothing, medicines, etc. If a gift parcel conforming to these conditions is presented for mailing, it may be accepted after the sender has placed the words "Gift—Export License Not Required" on the address side of the wrapper and the word "Gift" on the customs declaration. If the parcel does not meet these conditions so as to qualify for a gift, it may not be accepted for mailing (*a*) unless the sender knows that it is exportable under some other form of general license of the Office of International Trade and certifies to that fact by placing the words "Export License Not Required" and the appropriate general license symbol (such as GRO, GLV, GUS, etc.) on the address side of the wrapper, or (*b*) unless the parcel is licensed for export by some other U. S. Government agency.

(ii) Patrons should be referred to the Office of International Trade, Department of Commerce, Washington 25, D. C., or to any field office of that Department, for information as to whether their parcels require an export license and as to the procedure for applying for one if needed.

(iii) Validated export licenses are required for all parcels for the following countries, except "gift parcels" as defined in this section.

Albania.	Hungary.
Bulgaria.	Latvia.
Czechoslovakia.	Lithuania.
Estonia.	Macao.
Germany (Soviet Zone, including Soviet sector of Berlin).	Poland.
	Rumania.
	Union of Soviet Socialist Republics.
Hong Kong.	

(3) *General information.* (i) Arrangements have been made by the Office of International Trade, with the concurrence of the Post Office and Treasury Departments, whereby parcel post packages (surface and air) addressed to certain foreign destinations will be subject to inspection of the contents by United States customs officers at dispatching exchange offices to detect violations of export control regulations.

(ii) In cases where the inspection at dispatching exchange offices discloses that parcels not covered by validated licenses actually require such licenses, or that unlicensed commodities are enclosed in any parcel, such parcels will be suitably endorsed and returned to the senders or seized by the customs inspectors. In cases of such return, postage, if claimed, may be refunded, less 10 per cent as usual in instances in which the Postal Service was not at fault.

(iii) Postmasters will cause immediate action to be taken to comply with the above instructions and will give as much publicity to the matter as possible without expense to the Department.

(4) *Special note.* The regulations in this paragraph reflect the regulations of the Office of International Trade insofar as they can be applied in the international postal service. It is the responsibility of the mailers to comply with any regulations of the Office of International Trade not contained in this section.

Patrons inquiring as to the procedure for applying for export licenses may be referred to the Office of International Trade, Department of Commerce, Washington 25, D. C., or to any field office of that Department.

2. In § 127.85 *Export declarations* (39 CFR 127.85) make the following changes:

a. Amend paragraph (h) to read as follows:

(h) In accordance with the export control regulations of the Office of International Trade, Department of Commerce, exporters of merchanise requiring individual export licenses must surrender the licenses at the post office when the relative shipments are mailed. Postmasters will require accepting empoyees to endorse these licenses on the back with the word "Completed" and to apply a legible postmark showing the date and place of mailing. Partial shipments may not be made against a validated export license unless, upon being apprised of the foregoing, the mailer elects to make a partial shipment and surrenders the license with the understanding that it may not be used again. In such cases, before accepting the parcel, the clerk shall require the mailer to enter on the back of the license the amount being shipped, and shall postmark. The licenses are to be transmitted under official cover to the Office of International Trade, Department of Commerce, Washington 25, D. C.

b. In paragraph (i) delete the words "Export Operation Division."

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51-7188; Filed, June 22, 1951; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 905]

[Docket No. AO 209-A2]

HANDLING OF MILK IN OKLAHOMA CITY, OKLAHOMA, MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900), notice is hereby given of a public hearing to be held in Room 609, County Court House, 321 Northwest First Street, Oklahoma, beginning at 10:00 a. m., c. s. t., July 11, 1951, for the purpose of receiving evidence with respect to proposed amendments hereinafter set forth or appropriate modifications thereof, to the tentative marketing agreement heretofore approved by the Secretary of Agriculture and to the order regulating the handling of milk in the Oklahoma City, Oklahoma, marketing area. These proposed amendments have not received the approval of the Secretary of Agriculture. The public hearing is for the purpose of receiving evidence with respect to economic conditions which relate to the proposed amendments hereinafter set forth:

Amendments Proposed by the Central Oklahoma Milk Producers Association:

1. Delete § 905.6 and substitute therefor the following:

§ 905.6 *Oklahoma City, Oklahoma, marketing area.* "Oklahoma City, Oklahoma, marketing area," hereinafter called the marketing area, means all the territory within the boundaries of Oklahoma and Pottawatomie Counties, and the Townships of Moore, Taylor, Case, Liberty, Norman and Noble in Cleveland County, all in the State of Oklahoma.

2. Delete § 905.7 and substitute therefor the following:

§ 905.7 *Approved plant.* "Approved plant" means a milk processing plant which has been approved by a municipal or state health authority having jurisdiction in the marketing area or by a Federal agency located in the marketing area and from which milk, skim milk, buttermilk, flavored milk drinks or cream is disposed of for fluid consumption in the marketing area on wholesale or retail routes (including plant stores), or provided that such an approved plant located outside the marketing area which during any delivery period does not dispose of an amount of milk equal to 20 percent or more of such plant's total receipt of producer milk on wholesale or retail routes (including plant stores) within the marketing area, shall not be construed as an approved plant for the purpose of having its milk pooled (included in the computation of the uniform price to be paid dairy farmers).

3. Delete § 905.31 (c) and substitute therefor the following:

(c) *Payroll reports.* The nature and amount of any authorized deductions or charges involved in such payments.

4. Amend the provisions of § 905.41 (a) to specifically provide for the inclusion of yogurt and concentrated milk in Class I.

5. Amend the provisions of § 905.51 (b) to provide for the payment for Class II milk at the rate computed for the butter-powder part of the basic formula computed pursuant to the provisions of § 905.50 (b) (1) and (2), or on the basis of the average field prices reported to have been paid by the manufacturing plants specified in § 905.51 (b), whichever is higher.

6. Add the following as § 905.62:

§ 905.62 *Handler located outside the marketing area who does not meet the qualifications as set forth in § 905.7.* Each handler located outside the marketing area who does not meet the qualifications as set forth in § 905.7 shall pay, with respect to all skim milk and butterfat other than that transferred to the approved plant of another handler, disposed of as Class I milk within the marketing area, an amount equal to the difference between the value of such skim milk and butterfat at the Class I price and their value at the Class II price. Payments made pursuant to this section shall be made to the market administrator for deposit to the Producers Settlement Fund on or before the 12th day after the end of each delivery period.

7. Delete § 905.65 (a) and substitute therefor the following:

(a) Divide the total pounds of milk received by a handler(s) from such producer during the months of September through December immediately preceding, by 122.

8. Add the following as § 905.80 (c):

(c) Each handler shall furnish each producer a supporting statement for each delivery period in such form as may be retained by the producer which shall show the daily pounds per shipment, the nature and amount of all deductions and such other data as the Market Administrator shall prescribe to reflect the basis for the payment.

Proposed by The Central Dairy Products Company:

9. Amend § 905.41 (b) so that Class II milk shall be all skim milk and butterfat used in the production of cottage cheese, and that a third classification (Class III milk) shall be established for all skim milk and butterfat used to produce any other products that come under this former classification in the original Order No. 5.

10. Amend § 905.51 (b) to provide for the payment for Class II milk that is used for cottage cheese to be computed at the rate of the butter-powder part of the basic formula computed in the original Order No. 5, and to provide for the payment for Class III milk on the basis of the average field prices reported to have been paid by the manufacturing plants specified in § 905.51 (b) of the original Order No. 5.

Proposed by the Dairy Branch, Production and Marketing Administration:

11. Make such other changes as may be required to make the entire order conform with any amendments thereto which may result from this hearing.

Copies of this notice of hearing may be procured from the Market Administrator, 227 North West Twenty-third Street, Room 202, Oklahoma City, Oklahoma, or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: June 22, 1951.

ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-7282; Filed, June 22, 1951; 9:38 a. m.]

[7 CFR, Part 907]

[Docket No. AO-212-A3]

HANDLING OF MILK IN MILWAUKEE, WIS., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER AMENDING ORDER NOW IN EFFECT

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Milwaukee, Wisconsin, on May 22-24, 1951, pursuant to notice thereof issued on May 15, 1951 (16 F. R. 4662).

The material issues of record related to:

(1) Revision of the price differentials (over the basic formula price) for Class I milk and Class II milk;

(2) Reinstatement of the provisions relating to the computation of "base milk" and "excess milk," and payment therefor, with certain proposed modifications;

(3) Revision of the provisions relating to exempt milk;

(4) The introduction of a "market-wide pool" to replace "individual-handler pools";

(5) The reclassification of skim milk from Class I milk to Class II milk;

(6) The classification of milk, flavored milk and flavored milk drink in concentrated form as Class I milk;

(7) Revision of the price factor (credit) applied in connection with the

reconciliation of the computed class volumes of milk with producer milk receipts;

(8) Revision of certain definitions and other provisions for clarification of the order; and

(9) The emergency character of marketing conditions and the need for immediate change in the order provisions.

Issues numbered (1), (3) and (9) above are covered by the findings and conclusions made in this decision. It is determined that early action is required on such issues. Decision on the remaining issues is reserved to a later date. They require further analysis and appraisal but should not be permitted to delay action on the issues herein covered.

Findings and conclusions. The following findings and conclusions on the issues decided herein are hereby made upon the basis of the record of the hearing:

(1) The price differentials added to the basic formula price for Class I milk and Class II milk should be revised to provide for (i) an increase in differentials for July, and (ii) the adoption of a supply-demand adjustment.

A proposal affecting the differentials for Class I milk and Class II milk in two ways was offered. Producers proposed that the Class I and Class II milk differentials for July should be increased 20 cents and 10 cents, respectively. The proposal provides also for a price adjustment equivalent to the "supply-demand" price adjustment adopted in a recent decision on amendments to Order 41, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area.

A proposal submitted by handlers would provide for an April decrease in the Class I and Class II differentials by 20 cents and 10 cents, respectively.

Producers contend that from a supply standpoint the Milwaukee market must remain competitive with the Chicago market and that to accomplish this the price provisions of the two orders in certain respects should be identical under present circumstances. In this connection it was testified that if the price of milk to producers is increased in Chicago it must be increased in the same amount to Milwaukee producers or the supply of milk for the Milwaukee market will be threatened.

Geographically, the Chicago and Milwaukee markets are very closely related, Milwaukee being located about 85 miles from Chicago and within an important segment of the Chicago milkshed. Farms of producers for both the Milwaukee and Chicago markets are intermingled to a large extent in certain zones of the Chicago production area, and are affected similarly by the prices and supplies of feeds and other production conditions in these locations.

At least one handler under the Chicago order (as recently revised) operates distribution routes in the Milwaukee marketing area in competition with Milwaukee handlers. In recognition of the exceedingly close competitive relationship between the two marketing areas as to both the purchase of milk from producers and the distribution of milk by handlers, it was concluded in connection with the promulgation of the original Milwaukee order that the class prices should correspond with the zone 3 prices of the Chicago order. The result has been to maintain a close relationship of prices for milk disposed of in fluid form as milk and cream in the two markets.

It has been determined that a "supply-demand" adjustment provision should be included in the Chicago order to vary the Class I and Class II price differentials automatically as changes occur in the relationship between producer receipts and Class I and Class II sales under such order. In view of the showing of a high degree of similarity in conditions affecting the production and marketing of milk for fluid use in the two market areas, it is concluded that any adjustment in the Class I and Class II price differentials under such provision of the Chicago order would be equally appropriate at this time in connection with the Class I and Class II price differentials under the Milwaukee order and would tend to promote orderly marketing conditions. It is concluded also that as further means to maintain a proper price pattern in relation to that of the Chicago market the July price differentials for Class I and Class II milk should be increased 20 cents and 10 cents, respectively, and that the April differentials should remain unchanged. Although available information does not indicate identical seasonal production patterns in the two markets, the variation in the production zones where overlapping occurs is not sufficiently large to warrant different class price schedules seasonally. Since some milk is distributed within the Milwaukee marketing area by a handler regulated by the Chicago order it is deemed important to maintain a close alignment on a monthly basis. The proximity of portions of the enlarged marketing area recently adopted under the Chicago order to the Milwaukee marketing area also indicates the desirability of maintaining such price alignment.

(2) The provisions relating to exempt milk should be revised.

Milk regulated by the Suburban Chicago milk order is exempt from the provisions of this order if a greater volume of milk is disposed of by the handler in the Suburban Chicago marketing area than he disposes of in the Milwaukee marketing area. In view of the contemplated merger of the Suburban Chicago and Chicago orders, continued reference in the Milwaukee order to the application of the Suburban Chicago order would be inappropriate and obsolete. However, in order to avoid duplication of obligations as to persons who otherwise would be handlers under both the Milwaukee and Chicago orders, provision should be made for exemption from the Milwaukee order in the case of any handler who is regulated by the Chicago order on the principle heretofore applied in connection with the Suburban Chicago order. This change should provide a satisfactory coordination of the regulatory provisions of the respective orders.

(3) The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and the opportunity for exceptions thereto.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. Delay beyond the minimum time required to make the order effective would defeat the purpose of such amendments. Accordingly, the time necessarily involved in the preparation, filing, and publication of a recommended decision, and exceptions thereto, would make such relief ineffective. The omission of the recommended decision and filing of exceptions thereto was requested on the record.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the proposed marketing agreement and in the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(c) The proposed marketing agreement and the order, as amended and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in the said marketing agreement upon which a hearing has been held.

Rulings on briefs. Briefs were filed on behalf of the Milwaukee Cooperative Milk Producers, the Pure Milk Products Cooperative, and the Blochowiak Dairy et al. The briefs contained proposed findings of fact, conclusions and argument with respect to the proposals discussed at the hearing. Every point set forth in the briefs which relates to the issues covered by this decision was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that such suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions in this decision.

Determination of representative period. The month of April 1951 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, now in effect, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area, in the manner set forth in the attached amending order is approved or favored by producers, who, during such period, were engaged in the production of milk for sale in the marketing area specified in such marketing order.

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Milwaukee, Wisconsin, Marketing Area," and "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Milwaukee, Wisconsin, Marketing Area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and as hereby proposed to be further amended by the order set forth below, which will be published with this decision.

This decision filed at Washington, D. C., this 20th day of June 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order[1] *Amending the Order, as Amended, Regulating the Handling of Milk in the Milwaukee, Wisconsin, Marketing Area*

§ 907.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered that on and after the effective date hereof the handling of milk in the Milwaukee, Wisconsin, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended as follows:

1. Delete § 907.50 (c) and substitute therefor the following:

(c) The price per hundredweight computed from the following formula:

(1) Multiply by 4.24 the simple average, as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago, as reported by the U. S. D. A. during the month: *Provided,* That if no price is reported for Grade AA (93-score) butter, the highest of the Grade A (92-score) butter prices for that day shall be used in lieu of the price for Grade AA (93-score) butter;

(2) Multiply by 8.2 the weighted average of carlot prices per pound for spray process nonfat dry milk solids, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the U. S. D. A.;

(3) From the sum of the results arrived at under subparagraphs (1) and (2) of this paragraph subtract 75.2 cents.

2. Delete paragraphs (a) and (b) of § 907.51 and substitute therefor the following:

(a) *Class I milk.* The price for Class I milk shall be the basic formula price plus the following amounts as indicated: May and June $0.46; July through November, inclusive, $0.86; and all other months $0.66: *Provided,* That for each percent that the "current supply-demand ratio" computed pursuant to paragraph (e) of this section is greater or less than the applicable percentage contained in the schedule set forth in paragraph (e) (4) of this section, the Class I price differential computed prior to this proviso shall be increased or decreased, respectively, by the following amounts: May and June, $0.02; July through November, inclusive, $0.04; all other months $0.03: *And provided further,* That any adjustment made pursuant to the above proviso of this paragraph shall be limited to 16 cents in May and June; 30 cents in July through November, inclusive; and 24 cents in all other months; but in no event shall the Class I price differential computed pursuant to this paragraph be less than 46 cents.

(b) *Class II milk.* The price for Class II milk shall be the basic formula price plus the following amounts as indicated: May and June, $0.30; July through November, inclusive, $0.50; all other months, $0.40: *Provided,* That such amount for the month shall be adjusted by the amount of any adjustment made in the Class I price differential pursuant to the first proviso of paragraph (a) of this section; but in no event shall the Class II price differential computed pursuant to this paragraph be less than 40 cents in the months of July through November, inclusive, or less than 30 cents in all other months.

3. Add the following as § 907.51 (e):

(e) *Supply-demand adjustment.* On or before the last day of each month the market administrator shall make the following computations based upon the reported receipts and utilization of handlers as defined in the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area, as computed by the market administrator under the latter order:

(1) Determine the total receipts of Grade A milk from all producers (including receipts from own farm production) for the most recent 6-month period and divide the result by 6;

(2) Determine the total pounds of Grade A milk actually utilized in Class I milk and Class II milk products during the most recent 6-month period and subtract therefrom (i) the amount of Class I and Class II milk disposed of in bulk outside the surplus milk manufacturing area, and (ii) the amount of Class II milk represented by frozen cream and plastic cream moving into storage during such 6-month period, and divide the result by 6;

(3) Divide the amount obtained in subparagraph (2) of this paragraph by the amount obtained in subparagraph (1) of this paragraph and round to the nearest full percent, which resulting percentage shall be known as the "current supply-demand ratio";

(4) Determine the number of percentage points that the current supply-demand ratio is above or below the percentage for the corresponding 6 months' period appearing in the following schedule:

6-months included in supply-demand ratio computation	Percent	Month subject to adjustment
January through June	62	August.
February through July	62	September.
March through August	64	October.
April through September	67	November.
May through October	71	December
June through November	76	January.
July through December	81	February.
August through January	79	March.
September through February	76	April.
October through March	72	May.
November through April	68	June.
December through May	64	July.

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

(5) In making the computations specified in subparagraphs (1) and (2) of this paragraph, the market administrator shall use the reported receipts and utilization of handlers of Grade A milk under both Orders 41 and 69 when it is necessary to use data for months prior to the effective date of this paragraph.

4. Delete § 907.91 (a) (2) and substitute therefor the following:

(2) The other order is that regulating the handling of milk in the Chicago, Illinois, marketing area and the Secretary determines that the quantity of Class I milk so disposed of by such person within the marketing area (§ 907.6) is greater than the quantity so disposed of within the marketing area defined in such other order. This subparagraph shall apply only with respect to milk received at the plant(s) of such person from which the Class I milk was so disposed of within the marketing area and milk received at each receiving station (§ 907.9) serving such plant(s).

Order of the Secretary Directing That a Referendum Be Conducted Among the Producers Supplying Milk in the Milwaukee, Wisconsin, Marketing Area, and Designation of an Agent To Conduct Such Referendum

Pursuant to section 8c (19) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (19)), it is hereby directed that a referendum be conducted among the producers (as defined in the order, as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area) who, during the month of April 1951 were engaged in the production of milk for sale in the marketing area specified in the aforesaid order to determine whether such producers favor the issuance of the order amending such order which is a part of the decision of the Secretary of Agriculture filed simultaneously herewith.

H. H. Erdmann is hereby designated agent of the Secretary to conduct such referendum in accordance with the procedure for the conduct of referenda to determine producer approval of milk marketing orders as published in the FEDERAL REGISTER on August 10, 1950 (15 F. R. 5177).

Done at Washington, D. C., this 20th day of June 1951.

[F. R. Doc. 51-7216; Filed, June 22, 1951; 8:54 a. m.]

[7 CFR, Part 928]

[Docket No. AO-227 RO2]

HANDLING OF MILK IN NEOSHO VALLEY (KANSAS-MISSOURI) MARKETING AREA

NOTICE OF REOPENING OF HEARING ON PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the reopening of the hearing held in Chanute, Kansas, November 13–17, 1950 and June 12, 1951, on a proposed marketing agreement and a proposed order regulating the handling of milk in the Neosho Valley (Kansas-Missouri) marketing area.

The purpose of the reopened hearing is to afford interested parties opportunity to introduce additional evidence with respect to the proposed marketing agreement and order, and more particularly with respect to the findings and conclusions contained in the recommended decision of the Acting Assistant Administrator, Production and Marketing Administration, issued March 28, 1951 (16 F. R. 2841), and to receive evidence concerning additional proposals with respect to the extent of the marketing area received in connection with the exceptions filed to such recommended decision. Neither the proposals set forth below nor the recommended findings and conclusions have been approved by the Secretary of Agriculture.

The reopened hearing will be held in the Community Room, Memorial Building 101 South Lincoln Street, Chanute, Kansas, July 9, 1951, beginning at 9:00 a. m., c. s. t.

The additional proposals are as follows:

Proposed by Banner Daily Products, Fort Scott, Kansas; Batten's Dairy, Fort Scott, Kansas; Beatrice Food Company, Parsons, Kansas; Camfield Jersey Farm, Neosho, Missouri; Community Dairy Products Company, Joplin, Missouri; Fees Paramount Dairy, Parsons, Kansas; Gateway Creamery Company, Joplin, Missouri; Hildebrant's Dairy, Pittsburg, Kansas; Neosho Milk Company, Neosho, Missouri; Neosho Valley Co-op Creamery Association, Erie, Kansas; Oldham's Dairy, Pittsburg, Kansas; Page Milk Company, Coffeyville, Kansas; Pittsburg Ice Cream Company, Pittsburg, Kansas; Premium Dairy Food, Inc., Independence, Kansas; Puritan Dairy Company, Pittsburg, Kansas; and Willson's Dairy, Parsons, Kansas.

1. Delete § 928.6 of the order included in the recommended decision and substitute therefor the following:

§ 928.6 *Neosho Valley marketing area.* "Neosho Valley marketing area," hereinafter called the "marketing area," means all of the territory within the counties of Wilson, Woodson, Montgomery, Allen, Neosho, Labette, Bourbon, Crawford and Cherokee, all in the State of Kansas.

2. In the event that any territory within the State of Missouri is included, the marketing area should include in addition to the area specified in Proposal No. 1, all of the territory within the counties of Jasper, Newton, MacDonald, Barton and Vernon, all in the State of Missouri.

Copies of this notice of hearing may be procured from the Director, Dairy Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., or from the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: June 21, 1951, Washington, D. C.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-7247; Filed, June 22, 1951; 9:08 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. M-20]

AMERICAN PRESIDENT LINES, LTD.

NOTICE OF FURTHER HEARING ON APPLICATION TO BAREBOAT CHARTER AN ADDITIONAL GOVERMENT-OWNED, WAR-BUILT, DRY-CARGO VESSEL

Notice is hereby given that a further hearing will be held in the above-entitled proceeding on July 2, 1951, at 10:00 a. m. of that day in Room 4821, Department of Commerce Building, Washington 25, D. C., before Examiner Robert Furness, upon application of American President Lines, Ltd., to take further testimony relative to the need of 5 vessels in its Atlantic/Straits service (Service C-2, Trade Route 17) which applicant alleges was not available at the time of the hearing in this proceeding.

The purpose of this hearing is to receive further evidence pursuant to Section 3, P. L. 591, 81st Congress, with respect to whether the service for which application is made for bareboat charter of an additional Government-owned, war-built, dry-cargo vessel is required in the public interest and is not adequately served, and with respect to the availability of privately-owned American flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. The further evidence should be confined primarily to the question whether such additional vessel is needed in the above-mentioned service.

All persons having an interest in such application will be given an opportunity to be heard, if present.

Interested parties may have oral argument before the Examiner immediately following the close of the hearing, in lieu of briefs, and the Examiner will issue a recommended decision. Parties may have five (5) days within which to file exceptions to or memoranda in support of the Examiner's recommended decision, but the Board reserves the right to determine whether oral argu-

ment on exceptions will be granted and whether briefs in connection therewith will be received.

Dated: June 21, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-7260; Filed, June 22, 1951; 8:47 a. m.]

Office of International Trade

[Case No. 103]

ADOLPH FROMER AND AMERICAN MAROCAN PRODUCTS EXCHANGE

REVOCATION AND DENIAL OF LICENSE PRIVILEGES

In the matter of Adolph Fromer, American Marocan Products Exchange, respondents, Twelve, Rue du Caporal Grebert, Casablanca, French Morocco, Ten Calle Francisco Victoria, Tangier, Case No. 103.

This proceeding was begun on March 21, 1951, by the transmission of a charging letter to the above-named respondents, wherein the Office of International Trade charged respondents with having violated the Export Control Act of 1949 and the regulations promulgated thereunder.

The letter alleged that in June 1950, respondents cabled an order in behalf of a purported Swiss customer to an exporter in New York City for 100 tons of silicon carbide to be shipped to such customer in Switzerland, and concealed from the American exporter the material fact that the intended country of ultimate destination for such shipment was not Switzerland and the ultimate consignee was not the purchaser named in said order, and, also, concealed from the American exporter the material fact that respondents intended to have such commodity diverted or transshipped to Czechoslovakia as the country of ultimate destination.

It is further alleged in said charging letter that in reliance upon the false representations and statements contained in the order, as aforesaid, the American exporter filed an application with the Office of International Trade, on June 22, 1950, for an export license for authority to ship 100 tons of silicon carbide, therein designating as the ultimate consignee the purchaser named in said order, the intermediate consignee as being respondent American Marocan Products Exchange, and the country of ultimate destination as Switzerland.

It is further alleged in said charging letter that by such actions respondents knowingly and falsely stated and represented to the Office of International Trade that the country of ultimate destination for which the silicon carbide was intended was Switzerland, when in fact respondents then knew and intended such ultimate destination to be Czechoslovakia; falsely described and named the ultimate consignee and concealed from the applicant for the export license and from the Office of International Trade the true identity of the ultimate consignee; and submitted an order for the purchase from the United States of said commodity with the intention not to abide by such order and not to perform the terms thereof.

Respondents' eligibility as parties to any validated export license or to any exportations effected thereunder were, by the terms of the charging letter, suspended pending the determination of the administrative compliance proceeding thereby instituted.

The above-named respondents, after receiving the above-mentioned charging letter, submitted to the Office of International Trade, with the advice of counsel and through such counsel, a statement to the effect that they admitted, for the purposes of this compliance proceeding only, the charges made in said charging letter of March 21, 1951, that they waived all right to a hearing on such charges, and that they consented to the entry of an order the terms of which are set forth hereinbelow.

It appears that the investigation report and other evidentiary material in the possession of the Office of International Trade, together with the said charging letter and the above-mentioned proposal for a consent order, have been submitted to the Compliance Commissioner for review; that upon the basis of such review he has found that respondents knowingly made the false representations set forth in the charging letter for the stated purpose of ultimately shipping the silicon carbide to Czechoslovakia, but that in consequence of an investigation made by the Office of International Trade, no export license was issued nor shipment made pursuant to said application.

The Compliance Commissioner has accordingly found that the charges as set forth in the charging letter are supported by the evidence, that the terms and conditions of the proposed order as consented to by respondents are fair and reasonable, and that such order should be issued.

The findings and recommendations of the Compliance Commissioner have been carefully considered, together with the above-mentioned evidentiary material, the said charging letter and the proposal for a consent order, and it appears that such findings are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

Now, therefore, it is ordered as follows:

(1) Respondents, and each of them, are hereby denied the privilege of obtaining or using or participating directly or indirectly in the obtaining or using of export licenses, including general as well as validated export licenses, for a period of two years from the date of this order. Such denial of export license privileges shall be deemed to include and prohibit participation by the respondents, and each of them, directly or indirectly, as a party or as a representative of a party or otherwise, to any export license application or to any exportation under either general or validated licenses in any manner or capacity, including the financing, forwarding, transporting, or other servicing of exports.

(2) Such revocation and denial of export license privileges shall extend not only to the named respondents, but also to any person, firm, corporation or other business organization with which they or any of them may be now or hereafter related by ownership, control or other connection, or with which they or any of them may hold a position of responsibility in the conduct of trade involving exports from the United States or services connected therewith.

Dated: June 16, 1951.

WALLACE S. THOMAS,
Acting Assistant Director for Export Supply.

[F. R. Doc. 51-7193; Filed, June 22, 1951; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

MINIMUM WAGE RECOMMENDATIONS OF SPECIAL INDUSTRY COMMITTEE FOR THE VIRGIN ISLANDS

NOTICE OF HEARING

The Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060; 29 U. S. C. 201), by Administrative Order No. 409 dated January 16, 1951 (16 F. R. 584) as amended by Administrative Order No. 410 dated January 20, 1951 (16 F. R. 908), appointed a Special Industry Committee for the Virgin Islands, composed of residents of the Virgin Islands and of the United States outside of the Virgin Islands, to investigate conditions in and to recommend minimum wage rates for all employees in said islands who within the meaning of said act are "engaged in commerce or in the production of goods for commerce" excepting those employees exempt by virtue of the provisions of section 13 (a) and employees coming under the provisions of section 14.

The Committee included disinterested persons representing the public, a like number of persons representing employees, and a like number representing employers in these industries.

This Special Industry Committee for the Virgin Islands has made separate minimum wage recommendations and has duly filed with the Administrator reports containing such recommendations, pursuant to section 8 (d) of the act and § 511.19 of the regulations issued thereunder, for each of the industries investigated.

The Administrator is required under section 8 (d) of the act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order each of the recommendations of the Special Industry Committee if he finds that the recommendations are made in accordance with law, are supported by the evidence adduced at the hearings and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of section 8 of the act; and, if he finds

otherwise, to disapprove such recommendations.

Now, therefore, notice is hereby given that:

A. The separate minimum wage recommendations of the Special Industry Committee for the Virgin Islands for employees engaged in commerce for the industries investigated are as follows:

ALCOHOLIC BEVERAGES AND INDUSTRIAL ALCOHOL INDUSTRY

Wages at not less than the following rates per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the alcoholic beverages and industrial alcohol industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce:

(1) For operations performed in the manufacture of rum on the Island of St. Croix wages at a rate of not less than 40 cents per hour.

(2) For all operations other than those in the manufacture of rum on the Island of St. Croix wages at a rate of not less than 45 cents per hour.

BAY RUM AND OTHER TOILET PREPARATIONS INDUSTRY

Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the bay rum and other toilet preparations industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

SHIPPING AND TRANSPORTATION INDUSTRY

1. Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the general division of the shipping and transportation industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

2. Wages at a rate of not less than 35 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the wind-driven vessel division of the shipping and transportation industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

WHOLESALING AND TRUCKING INDUSTRY

Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the wholesaling and trucking industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

BANKING, INSURANCE, AND REAL ESTATE INDUSTRY

Wages at a rate of not less than 50 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the banking, insurance, and real estate industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

COMMUNICATIONS AND OTHER PUBLIC UTILITIES INDUSTRY

Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the communications and other public utilities industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

CONSTRUCTION INDUSTRY

Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the construction industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

WEARING APPAREL INDUSTRY

Wages at a rate of not less than 50 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the wearing apparel industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

FRUIT AND VEGETABLE PACKING AND FARM PRODUCTS ASSEMBLING INDUSTRY

Wages at a rate of not less than 30 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the Fruit and vegetable packing and farm products assembling industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

DOLL INDUSTRY

Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the doll industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

SHIP AND BOAT BUILDING AND EQUIPMENT INDUSTRY

Wages at a rate of not less than 50 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the ship and boat building and equipment industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

HAND-MADE ART LINEN INDUSTRY

Wages at not less than the following rates per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the hand-made art linen industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

1. For hand-sewing operations, wages at a rate of not less than 20 cents per hour.

2. For all operations other than hand-sewing, wages at a rate of not less than 35 cents per hour.

HAND-MADE STRAW GOODS INDUSTRY

Wages at not less than the following rates per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the hand-made straw goods industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce:

1. For hand-weaving and hand-sewing operations, wages at a rate of not less than 15 cents per hour.

2. For all operations other than hand-weaving and hand-sewing, wages at a rate of not less than 35 cents per hour.

MEAT PACKING INDUSTRY

Wages at a rate of not less than 37 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the meat packing industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

PEARL BUTTON INDUSTRY

Wages at a rate of not less than 45 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the pearl button industry in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

MISCELLANEOUS INDUSTRIES

Wages at a rate of not less than 40 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the miscellaneous industries in the Virgin Islands who is engaged in commerce or in the production of goods for commerce.

B. The definitions of the above-named industries in the Virgin Islands for which the Special Industry Committee has made the foregoing separate minimum wage recommendations are as follows:

ALCOHOLIC BEVERAGES AND INDUSTRIAL ALCOHOL INDUSTRY

This industry shall include the manufacture, including, but not by way of limitation, the distilling, rectifying, blending or bottling of rum, gin, whiskey, brandy, liqueurs, cordials, wine, beer, and other alcoholic beverages, and of industrial and other types of alcohol.

BAY RUM AND OTHER TOILET PREPARATIONS INDUSTRY

This industry shall include the manufacture (including bottling and packaging) of bay oil, bay rum, perfumes, colognes, toilet waters, and other similar toilet preparations.

SHIPPING AND TRANSPORTATION INDUSTRY

This industry shall include the transportation of passengers and cargo by water or by air, and all activities in con-

nection therewith, including, but not by way of limitation, the operations of common or contract carriers, the operation of piers, wharves and docks, including bunkering, stevedoring, storage, and lighterage operations, and the operation of tourist bureaus, and travel and ticket agencies.

On the basis of its investigation of the Shipping and Transportation Industry, as above defined, and after due consideration of economic and competitive conditions in the industry and other relevant factors, including those set forth in section 8 (c) of the Fair Labor Standards Act of 1938, as amended, the Committee has determined that the general division and the wind-driven vessel division, as hereinafter defined, constitute distinct divisions of the shipping and transportation industry which are separable from each other; that each division constitutes in itself a distinct and separable industry; and that it is reasonable and necessary to divide the industry in accordance with the following recommendations into separable divisions for the purpose of fixing for each division of the industry a minimum wage rate (1) which will not give such division a competitive advantage over any industry in the United States outside of the Virgin Islands, and (2) which is the highest minimum rate (not in excess of 75 cents an hour) which will not substantially curtail employment in such division and will not give a competitive advantage to any group in the industry. The Committee has also determined that competitive conditions between each of the separable divisions of the industry are such that the approval, disapproval, or subsequent cancellation of the rate recommended for either of such divisions will not give a competitive advantage to, or substantially curtail employment in, any group in the shipping and transportation industry.

The Committee recommends, therefore, that the shipping and transportation industry in the Virgin Islands be divided into separable divisions for the purpose of fixing minimum wage rates, and that these separable divisions be entitled and defined as follows:

1. *General division.* This division shall include all activities in the shipping and transportation industry other than those included within the wind-driven vessel division.

2. *Wind-driven vessel division.* This division shall include the transportation of cargo and passengers by vessels driven entirely by wind and having no auxiliary propulsion motors.

WHOLESALING AND TRUCKING INDUSTRY

This industry shall include the wholesaling, warehousing and other distribution of commodities, including, but not by way of limitation, the activities of importers, exporters, wholesalers, public warehouses, and brokers and agents (except realty and financial), including mail order sales agencies and manufacturers selling agencies; and the industry carried on by any common or contract carrier engaged in the transportation of property by motor vehicle.

BANKING, INSURANCE, AND REAL ESTATE INDUSTRY

This industry shall include the business carried on by any banking, insurance, financial, or real estate institution, agency, or enterprise.

COMMUNICATIONS AND OTHER PUBLIC UTILITIES INDUSTRY

This industry shall include the activities carried on by any wire or radio system of communication or by any messenger service; by any concern engaged in the production or distribution of electricity; by any concern engaged in the distribution of water or the operation of sanitation facilities; and by any concern engaged in other public utility operations.

CONSTRUCTION INDUSTRY

This industry shall include the designing, construction, reconstruction, alteration, repair, and maintenance of buildings, structures, and other improvements, including, but not by way of limitation, factories, highways, bridges, sewers and water mains, irrigation canals and pipe lines, harbors, and airfields; the assembling at the construction site and the installation of machinery and other facilities in or upon such buildings, structures, and improvements; and the dismantling, wrecking or other demolition of such improvements and facilities.

Provided, however, That this industry shall not include construction carried on by persons, for their own use or occupancy, who are principally engaged in another industry.

WEARING APPAREL INDUSTRY

This industry shall include the manufacture of all wearing apparel except that made entirely by hand.

FRUIT AND VEGETABLE PACKING AND FARM PRODUCTS ASSEMBLING INDUSTRY

This industry shall include the assembling and preparing for market of fresh fruits and vegetables and other related products.

DOLL INDUSTRY

This industry shall include the manufacture of machine-sewn doll's clothing and the preparation, assembling, and finishing of dolls with such clothing.

SHIP AND BOAT BUILDING AND EQUIPMENT INDUSTRY

This industry shall include the building, repairing, and maintenance of ships and boats and the manufacture and repairing of sails, rope, fenders, and other marine equipment.

HAND-MADE ART LINEN INDUSTRY

This industry shall include the manufacture from any woven material of hand-made handkerchiefs and hand-made household art linens, including, but not by way of limitation, table cloths, napkins, bridge sets, luncheon cloths, table covers, and towels.

HAND-MADE STRAW GOODS INDUSTRY

This industry shall include the manufacture by hand from straw, raffia, sisal, or similar materials, of hats, baskets, purses, mats, trays, bottle coverings, or other articles.

MEAT PACKING INDUSTRY

This industry shall include the slaughtering of meat animals and the dressing and packing of meat, and all operations incidental thereto.

PEARL BUTTON INDUSTRY

This industry shall include the manufacture of buttons and buckles from ocean pearl and other natural shells.

MISCELLANEOUS INDUSTRIES

This industry shall include the manufacture of ice, sugar, jams and jellies, cocoa butter, and flavoring extracts; printing or publishing; the manufacture, processing or assembling of jewelry; and the manufacture of furniture, woodenware and wooden novelties; and all other industries not included in other specific industries defined herein.

C. The full texts of the reports and recommendations of the Special Industry Committee for the Virgin Islands for each of the above industries will be available for inspection by any person between the hours of 9:00 a. m., and 4:30 p. m., at the following offices of the United States Department of Labor, Wage and Hour and Public Contracts Divisions:

Old South Building, 18 Oliver Street, Boston 10, Mass.
Room 525, Lafayette Building, 437 Chestnut Street, Philadelphia 6, Pa.
Perry-Paine Building, 740 Superior Avenue NW., Cleveland, Ohio.
3000 Fidelity Building, 911 Walnut Street, Kansas City 6, Mo.
150 Federal Office Building, Fulton and Leavenworth Streets, San Francisco 2, Calif.
Telephone Building, 150 Ninth Avenue North, Nashville, Tenn.
900 U. S. Parcel Post Building, 341 Ninth Avenue, New York 1, N. Y.
1007 Comer Building, 2026 Second Avenue North, Birmingham 3, Ala.
Room 222, 1114 Commerce Street, Dallas 2, Tex.
1200 Merchandise Mart Building, Merchandise Mart Plaza, Chicago 54, Ill.
Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce 29, P. R.
14th Street and Constitution Avenue NW., Washington 25, D. C.

Copies of the Committee's reports and recommendations may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., or the Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, Puerto Rico.

D. Public hearings will be held in Room 5406, Department of Labor Building, Washington 25, D. C., at 10:00 a. m., on July 24, 1951, for the purpose of taking evidence of whether the separate recommendations of the Industry Committee set forth above shall be approved or disapproved. These hearings will be conducted before the Administrator of the Wage and Hour Division, or a representative designated to preside in his place.

E. Any interested person supporting or opposing any of the recommendations of the Special Industry Committee for the Virgin Islands which are set forth above may appear at any of the aforesaid hearings to offer evidence, either on his own behalf or on behalf of any other person: *Provided*, That, not later than seven days preceding the hearings, such person shall file with the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., or at the office of the Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½ Ponce de Leon Avenue, Santurce, Puerto Rico, notice of his intention to appear, which shall contain the following information:

1. The name and address of the person appearing;

2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing;

3. The recommendation or recommendations of the Special Industry Committee for the Virgin Islands in which he is interested and whether he proposes to appear for or against such recommendation or recommendations;

4. The approximate length of time requested for his presentation.

Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, or to the Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, Puerto Rico, and shall be deemed filed upon receipt.

F. Any person interested in supporting or opposing any of the above recommendations of the Industry Committee may secure further information concerning the aforesaid hearings by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, or to the Territorial Representative, Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, Puerto Rico, or by consulting with attorneys representing the Administrator who will be available at the Office of the Solicitor, United States Department of Labor, in Washington, D. C.

G. The records made at the public hearings on conditions in the above-named industries in the Virgin Islands held before the Industry Committee in Charlotte Amalie, St. Thomas, Virgin Islands, February 20, through February 27, 1951 and in Christiansted, on the Island of St. Croix from February 28 through March 2, 1951 may be examined by any interested person at the office of the Wage and Hour Division, United States Department of Labor, at Fourteenth and Constitution Avenue, Washington 25, D. C., and Room 412, New York Department Store Building, Stop 16½ Ponce de Leon Avenue, Santurce, Puerto Rico. The records of the public hearing before the Industry Committee with respect to each of the above-named industries in the Virgin Islands will be offered in evidence at the public hearing before the Administrator or his representative on such industry.

H. The hearings will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Presiding Officer (the Administrator or his authorized representative, as the case may be) as are deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, Fourteenth and Constitution Avenue, Washington 25, D. C.

2. At the discretion of the Presiding Officer, the hearing may be continued from day to day or adjourned to a later date, or to a different place by announcement thereof at the hearing or by other appropriate notice.

3. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

4. All evidence must be presented under oath or affirmation.

5. Except as otherwise permitted by the Presiding Officer, written documents or exhibits submitted personally at the hearing must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof. Written, sworn statements may be filed any time prior to the date of the hearing by persons who cannot appear personally.

6. Written documents and exhibits shall be tendered in quadruplicate. When evidence is embraced in a document containing matter not intended to be offered in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together with two copies of those portions of the document intended to be offered in evidence.

7. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing shall be issued by the Administrator upon request and upon a timely showing, in writing, of the general relevance and reasonable scope of the evidence sought. Any person appearing in the proceeding may apply for the issuance by the Administrator of the subpoena. Such application shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

8. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear and the Administrator, before issuing a subpoena, may require a deposit of an amount adequate to cover the fees and mileage involved.

9. The rules of evidence prevailing in courts of law or equity shall not be controlling. However, it shall be the policy to exclude irrelevant, immaterial, or unduly repetitious evidence.

10. The Presiding Officer shall, upon request, permit any person appearing in the proceeding to conduct such cross examination of any witness offered by another person as may be required for a full and true disclosure of the facts, and to object to the admission or exclusion of evidence. Objections to the admission or exclusion of evidence shall be stated briefly with the reasons relied on. Such objections shall become a part of the record, but the record shall not include argument thereon except as ordered by the Presiding Officer.

11. Before the close of the hearing, written request shall be received from persons appearing in the proceeding for permission to make oral argument before the Administrator upon the matters in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceeding and shall designate the time and place at which oral argument shall be heard. If such requests are allowed, all persons appearing at the hearing shall be given opportunity to present oral argument.

12. Briefs (4 copies) on particular questions may be submitted to the Administrator following the close of the hearing, by any persons appearing thereat. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

13. (a) Where the hearing is held before the Administrator, within fifteen (15) days after the close of the hearing, any interested person appearing at the hearing may submit, for the consideration of the Administrator, an original and four copies of a statement in writing containing proposed findings and conclusions, together with supporting reasons therefor.

(b) Where the hearing is held before a representative of the Administrator designated to preside in his place, a complete record of the proceedings shall be certified to the Administrator upon the close of the hearing. The Administrator shall thereupon issue a tentative decision in the matter, which shall become a part of the record and include a statement of his findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law or discretion presented on the record, and the appropriate order. Notice of the Administrator's tentative decision shall be published in the FEDERAL REGISTER.

(c) Within fifteen (15) days after such notice of the Administrator's tentative decision is published in the FEDERAL

REGISTER, any interested person appearing at the hearing may file with the Administrator a statement in writing (original and four copies) setting forth any exceptions he may have to such decision, together with supporting reasons for such exceptions.

(d) After the expiration of the fifteen day periods referred to in paragraphs 13 (a) and (c) above, and after consideration of all relevant matter presented as provided in such paragraphs, the Administrator shall make his final decision in the matter, and shall issue an order approving or disapproving the recommendations of the Industry Committee. Such order shall be published in the FEDERAL REGISTER.

14. Any wage order issued as a result of hearings held hereunder shall take effect 30 days after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER, or at such time prior thereto as may be provided therein upon good cause found and published therewith.

Signed at Washington, D. C., this 20th day of June 1951.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 51-7212; Filed, June 22, 1951; 8:53 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 78]

WAMSUTTA MILLS

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Wamsutta Mills, New Bedford, Massachusetts, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant is required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Price Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. The ceiling prices for sales at retail of sheets, pillow cases, towels and piece goods manufactured by Wamsutta Mills, New Bedford, Massachusetts, having the brand name(s) "Wamsutta" shall be the proposed retail ceiling prices listed by Wamsutta Mills in its application dated April 17, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application undated). A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than August 21, 1951, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may, of course, be made at less than the ceiling prices.

2. The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7 by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand or company name and first sold by the manufacturer after the effective date of this special order.

3. On and after July 23, 1951, Wamsutta Mills must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after August 21, 1951, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to August 21, 1951, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the manufacturer's application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply, as to each such article, with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 60-day period, unless the article is so ticketed, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

4. Within 15 days after the effective date of this special order, the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto (if any) issued prior to the date of the delivery. The manufacturer shall annex to the special order a notice, listing the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling price fixed by this special order for an article of that cost. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Our price to retailers	Retailer's ceilings for articles of cost listed in column 1
$-------- per --------{unit. dozen. etc.	
Terms{net. percent EOM. etc.	
	$--------

Within 15 days after the effective date of this special order, two copies of this notice must also be filed by the manufacturer with the Distribution Price Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C. Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

5. Within 45 days of the expiration of the first 6 months period following the effective date of this special order and within 45 days of the expiration of each successive 6 months period, the manufacturer shall file with the Distribution Price Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6 months period.

6. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

7. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

8. The provisions of this special order are applicable to the United States and the District of Columbia.

Effective date. This special order shall become effective June 22, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JUNE 21, 1951.

[F. R. Doc. 51-7264; Filed, June 21, 1951; 4:02 p. m.]

FEDERAL POWER COMMISSION

[Docket No. ID-1017]

E. J. SHAPIRO

NOTICE OF ORDER AUTHORIZING APPLICANT TO HOLD CERTAIN POSITIONS

JUNE 19, 1951.

Notice is hereby given that, on June 14, 1951, the Federal Power Commission issued its order entered June 12, 1951, in the above-designated matter, authorizing applicant to hold certain positions pursuant to section 305 (b) of the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-7181; Filed, June 22, 1951; 8:45 a. m.]

[Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417, G-1152, G-1415, G-1379]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

NOTICE OF OPINION NO. 214 AND ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

JUNE 19, 1951.

In the matters of Panhandle Eastern Pipe Line Company, Docket Nos. G-1116, G-1240, G-1317, G-1344, G-1417; City of Port Huron, City of Marysville, City of St. Clair, Michigan, municipal corporations, Docket No. G-1152; Southeastern Michigan Gas Company, Docket No. G-1415; Michigan Consolidated Gas Company, Complainant, v. Panhandle Eastern Pipe Line Company, Defendant, Docket No. G-1379.

Notice is hereby given that, on June 13, 1951, the Federal Power Commission issued its Opinion No. 214 and interim order entered June 12, 1951, modifying, amending and further conditioning order issued May 4, 1950, issuing certificates of public convenience and necessity, published in the FEDERAL REGISTER May 12, 1950 (15 F. R. 2855); consolidating proceedings, in the above-entitled matters, for purposes of hearing, with Northern Indiana Fuel and Light Company, Docket No. G-1457; Missouri Central Natural Gas Company, Docket No. G-1509; Central West Utility Company, Docket No. G-1616; and the City of Auburn, Illinois, Docket No. G-1659; and setting hearing for July 23, 1951.

[SEAL] J. H. GUTRIDE,
Acting Secretary

[F. R. Doc. 51-7183; Filed, June 2[illegible]; 8:46 a. m.]

[Docket No. G-1306]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF ORDER MODIFYING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

JUNE 14, 1951.

Notice is hereby given that, on June 14, 1951, the Federal Power Commission issued its order entered June 12, 1951, modifying order, published in the FEDERAL REGISTER November 8, 1950 (15 F. R. 7775), issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-7182; Filed, June 22, 1951; 8:45 a. m.]

[Docket Nos. G-1210, G-1236, G-1264]

ERIE GAS SERVICE CO., INC., ET AL.

NOTICE OF CONTINUANCE OF HEARING

JUNE 19, 1951.

In the matters of Eugene H. Cole (Erie Gas Service Company, Inc.), Docket No. G-1210; Lake Shore Pipe Line Company, Docket No. G-1236; Grand River Gas Transmission Company, Docket No. G-1264.

Upon consideration of the motion of Grand River Gas Transmission Company, filed June 18, 1951, for postponement of the hearing now scheduled for June 25, 1951, in the above-designated matters;

Notice is hereby given that the hearing be and it is hereby continued to June 28, 1951, at 10:00 a. m., in the Commission's Hearing Room, at 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-7184; Filed, June 22, 1951; 8:46 a. m.]

[Docket No. G-1622]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF FINDINGS AND ORDER

JUNE 20, 1951.

Notice is hereby given that, on June 19, 1951, the Federal Power Commission issued its findings and order entered June 19, 1951, issuing a certificate of public convenience and necessity in the above-entitled matter.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-7185; Filed, June 22, 1951; 8:46 a. m.]

[Docket No. G-1654]

SOUTHWESTERN VIRGINIA GAS TRANSMISSION CO.

ORDER REOPENING PROCEEDING AND FIXING DATE OF HEARING THEREON

JUNE 19, 1951.

Southwestern Virginia Gas Transmission Company (Applicant) on December 18, 1950, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural-gas transmission pipeline facilities for the transportation and sale of natural gas to serve Southwestern Virginia Gas Company,[1] and for an order pursuant to section 7 (a) of the act directing Transcontinental Gas Pipe Line Corporation to establish physical connection of its transportation facilities with the proposed facilities of Applicant and to supply natural gas for ultimate distribution in Martinsville, Virginia.

The Presiding Examiner's Decision of May 18, 1951, in the above entitled matter dismissed the application of Applicant.

On June 7, 1951, Southwestern Virginia Gas Transmission Company filed a motion to amend its application, reopen the above-entitled proceeding, and remand the matter to the Presiding Examiner for the taking of further evidence with reference to its proposed amendment.

By its proposed amendment to its application, applicant requests a certificate of public convenience and necessity under section 7 (c) to construct and operate the transmission pipeline heretofore described in its initial application, for the sole purpose of transporting gas for the account of the Southwestern Virginia Gas Company.

The Commission finds: Good cause has been shown and public interest requires receiving for filing Applicant's amendment to its application, reopening the above-entitled proceeding, and remanding the record to the Presiding Examiner as hereinafter ordered.

The Commission orders:

(A) Southwestern Virginia Gas Transmission Company's proposed amendment filed on June 7, 1951, be and it hereby is received for filing and the record in the above-entitled matter be and it hereby is reopened.

(B) The record in this proceeding be and it hereby is remanded to the Presiding Examiner heretofore designated for the limited and sole purpose of hearing and taking additional evidence bearing upon Southwestern Virginia Gas Transmission Company's amendment referred to in Paragraph (A) above, and for the rendering of an appropriate supplemental decision thereon unless the Commission should otherwise provide by subsequent order.

(C) Pursuant to authority contained in and by virtue of the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing concerning the matters referred to in Paragraph (A), in the above-entitled proceeding be held com-

[1] Southwestern Virginia Gas Company, an affiliate of Southwestern Virginia Gas Transmission Company, presently distributes butane air gas in the City of Martinsville, Virginia, and vicinity. The former company, in the matter of Transcontinental Gas Pipe Line Corporation, Docket No. G-1411, obtained an allocation of 500 Mcf per day of natural gas for distribution.

mencing on July 23, 1951, at 10:00 a. m. e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C.

Date of issuance: June 20, 1951.

By the commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7197; Filed, June 22, 1951; 8:49 a. m.]

[Docket No. G-1654]

UNITED NATURAL GAS CO. AND EQUITABLE GAS CO.

ORDER FIXING DATE OF HEARING

JUNE 19, 1951.

On April 4, 1951, United Natural Gas Company (United) a Pennsylvania corporation having its principal place of business at Oil City, Pennsylvania, and Equitable Gas Company (Equitable), a Pennsylvania corporation having its principal place of business at Pittsburgh, Pennsylvania, filed a joint application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the exchange of gas for a limited period pursuant to the terms of an agreement between the applicants dated April 2, 1951, all as more fully described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition raising an issue of substance having been filed subsequent to the giving of due notice of the filing of the joint application, including publication in the FEDERAL REGISTER on April 25, 1951 (16 F. R. 3542-43).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on July 10, 1951, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such joint application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: June 19, 1951.

By the Commission.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7187; Filed, June 22, 1951; 8:47 a. m.]

[Docket No. G-1703]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

JUNE 19, 1951.

Take notice that on June 11, 1951, Montana-Dakota Utilities Co. (Applicant), a Delaware corporation with its principal office in Minneapolis, Minnesota, filed an application with the Federal Power Commission pursuant to section 7 (b) of the Natural Gas Act for permission and approval to abandon and remove the following described natural-gas facilities:

75.01-miles of 8-inch natural-gas transmission pipeline extending from Applicants Cabin Creek Compressor Station, Fallon County, Montana, to its Miles City Border Station in Custer County, Montana.

Applicant states that it proposes to make use of 5.01-miles of pipe in the said transmission pipeline to be abandoned and removed in providing distribution mains to serve farm-line customers and that it has a need for the balance in the construction of a new line to be part of an intrastate system in Montana to supplement the gas supply of Havre, Chinook, and Harlem, all in Montana.

Applicant further states the proposed abandonment will have no effect on reserves of the Baker-Bowdoin system as there will be no changes in the market and no change in its operation with respect to the production, transportation, transmission, and distribution of natural gas. The line to be abandoned is paralleled by a 12-inch transmission line constructed under certificate authorization issued in Docket No. G-1229.

The application recites that the book cost at March 31, 1951, of the property to be abondoned as transmission facilities was $752,887.17; of which amount $50,318.78 would be transferred to distribution plant and the balance of $702,568.39 charged to retirement reserve. Gross salvage, based on original cost, is estimated at $324,600, and the cost of removal at $146,820.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 11th day of July 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7196; Filed, June 22, 1951; 8:48 a. m.]

[Docket No. E-6360]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SECURITIES

JUNE 20, 1951.

Notice is hereby given that, on June 19, 1951, the Federal Power Commission issued its order entered June 19, 1951, authorizing issuance of securities in the above-entitled matter.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7186; Filed, June 22, 1951; 8:47 a. m.]

[Project No. 1901]

HIGHLAND MARY MINES, INC.

NOTICE OF APPLICATION FOR AMENDMENT TO LICENSE

JUNE 19, 1951.

Public notice is hereby given that Highland Mary Mines, Inc., of Kansas City, Missouri, has filed application pursuant to the provisions of the Federal Power Act (16 U. S. C. 797) for amendment to the license of Project No. 1901 regarding the repair of the breach in the main project dam on Cunningham Creek near Silverton, San Juan County, Colorado, located upon lands of the United States within the San Juan National Forest.

Any protest against the approval of this application or request for hearing thereon, giving the reasons for such protest or request, together with the name and address of protestant, party or parties requesting the hearing, should be made on or before the 31st day of July 1951, to the Federal Power Commission, Washington, D. C.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 51-7194; Filed, June 22, 1951; 8:48 a. m.]

[Docket No. G-1702]

JERSEY CENTRAL POWER AND LIGHT CO.

NOTICE OF APPLICATION

JUNE 19, 1951.

Take notice that Jersey Central Power and Light Company (Applicant) a New Jersey Corporation having its principal office at 501 Grand Avenue, Asbury Park, New Jersey, filed on June 8, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing construction and operation of certain natural-gas pipeline facilities as hereinafter described.

Applicant proposes to construct and operate approximately 1.6 miles of 6⅝-inch O. D. welded steel pipeline for the transmission of natural gas from a point on the transmission pipeline of Algonquin Gas Transmission Company in Parsippany-Troy Hills Township, Morris

County, New Jersey to a point on the existing gas transmission facilities of Applicant in Denville Township, Morris County, New Jersey. Upon the completion of said transmission line, Applicant proposes to deliver natural instead of manufactured gas to 14 communities now served by it in Morris County, New Jersey. Applicant further proposes to convert a gas manufacturing plant to enable it to manufacture a high B. t. u. gas to be used for standby or emergency service and for peak shaving when necessary.

The estimated cost of the proposed facilities, including metering and regulating facilities, is $91,349. Applicant expects initially to finance the construction out of cash on hand and other cash reserves.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 11th day of July 1951. The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 51-7195; Filed, June 22, 1951; 8:48 a. m.]

HOUSING AND HOME FINANCE AGENCY

Federal Housing Administration

FIELD ORGANIZATION

The following entries in section 22 (b) (5) are amended as indicated:

1. Delete the address "New Post Office Bldg." opposite "Cleveland, Ohio" and substitute therefor the following address: "1510 Euclid Ave."

2. Delete the address "New Post Office Bldg:" opposite "Minneapolis, Minnesota" and substitute therefor the following address: "Third Fl. Produce Bank Bldg., 100 No. 7th St."

3. Delete the address "405 N. Second St." opposite "Albuquerque, New Mexico" and substitute therefor the following address: "Bass Bldg., Tenth St. & Park Ave."

4. Delete the address "Chamber of Commerce Bldg." opposite "Charleston, West Virginia" and substitute therefor the following address: "304 Embleton Bldg., 922 Quarrier St."

[SEAL] OSBORNE KOERNER,
Director,
Administrative Services.

[F. R. Doc. 51-7180; Filed, June 22, 1951; 8:45 a. m.]

Office of the Administrator

CERTAIN DESIGNATED OFFICIALS

DELEGATION OF AUTHORITY WITH RESPECT TO ORDER M-4 OF THE NATIONAL PRODUCTION AUTHORITY

The delegation of authority to officials in the Housing and Home Finance Agency with respect to Order M-4 of the National Production Authority, originally issued at 16 F. R. 5720 (June 15, 1951), is hereby amended to read as follows:

The authority of the Housing and Home Finance Administrator under Delegation No. 14 of the National Production Authority, effective June 7, 1951, to approve or deny applications for authorization to commence residential and related construction under section 6 of NPA Order M-4 (16 F. R. 4196, 4463), applications for adjustment or exception under section 11 of said order, and appeals from denials of such applications, is hereby delegated as follows:

1. To the Federal Housing Commissioner and his designated representatives with respect to multi-unit residential and related construction to be assisted by mortgage, loan, or yield insurance under the National Housing Act, as amended.

2. To each Regional Representative and Acting Regional Representative of the Office of the Administrator, and to the Regional Engineers of the Office of the Administrator field offices located in Kansas City, Missouri, Fort Worth, Texas, and Denver, Colorado, with respect to multi-unit residential and related construction by an educational institution (except as to any such construction included in paragraph 1 hereof).

3. To the Public Housing Commissioner and his designated representatives with respect to multi-unit residential and related construction by Federal, State, or local public agencies (except as to any such construction included in paragraph 1 or paragraph 2 hereof).

4. To the Director, Defense Liaison Staff (Division of Plans and Programs) of the Housing and Home Finance Agency with respect to residential and related construction not included in paragraph 1, paragraph 2, or paragraph 3 hereof.

(Pub. Law 774, 81st Cong.; E. O. 10200, Jan. 3, 1951, 16 F. R. 61; Defense Production Administration Del. 1, May 15, 1951 (16 F. R. 4594); E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; Dept. of Commerce Order 123, Sept. 28, 1950, 15 F. R. 6726; NPA Del. No. 14, June 7, 1951, 16 F. R. 5401)

Effective as of the 18th day of June 1951.

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 51-7203; Filed, June 22, 1951; 8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 26182]

OLD TIN CANS FROM THE SOUTH TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

JUNE 20, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 950.

Commodities involved: Tin cans, old or used, having value for detinning purposes only, carloads.

From: Southern territory.

To: Points in Official territory.

Grounds for relief: Competition with rail carriers and emergency rates.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 950, Supp. 150.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-7198; Filed, June 22, 1951; 8:49 a. m.]

[4th Sec. Application 26183]

FERTILIZER BETWEEN POINTS IN OHIO, VIRGINIA, KENTUCKY, AND WEST VIRGINIA

APPLICATION FOR RELIEF

JUNE 20, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to the tariffs named in the attached list.

Commodities involved: Fertilizer and fertilizer materials, carloads.

From: Points in Kentucky, Ohio, Virginia, and West Virginia.

To: Points in Virginia, Kentucky, and Ohio.

Grounds for relief: Circuitous routes and competition with rail and motor carriers.

Schedules filed containing proposed rates:

	Tariff I. C. C. No.	Supp. No.
L. C. Schuldt's	3758	373
R. B. LeGrande's	240	168
C&O Ry	12828	158
	12841	239
	12860	200
N&W Ry	9440	1
	9424	16

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7199; Filed, June 22, 1951; 8:49 a. m.]

[4th Sec. Application 26184]

PROPORTIONAL RATES ON NEWSPRINT PAPER FROM ST. LOUIS, MO., AND CERTAIN MISSISSIPPI RIVER CROSSINGS TO TEXAS

APPLICATION FOR RELIEF

JUNE 20, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for carriers parties to his tariffs I. C. C. Nos. 3912 and 3899.

Commodities involved: Newsprint paper, carloads.

From: St. Louis, Mo., and upper Mississippi River crossings in Illinois (when originating in Canada).

To: Points in Texas.

Grounds for relief: Competition with rail carriers and equalization of present combination rates over competing routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3912, Supp. 59; D. Q. Marsh's tariff I. C. C. No. 3899, Supp. 55.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7200; Filed, June 22, 1951; 8:49 a. m.]

[4th Sec. Application 26185]

GRAIN BETWEEN KANSAS AND OKLAHOMA

APPLICATION FOR RELIEF

JUNE 20, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for The Atchison, Topeka and Santa Fe Railway Company, Missouri-Kansas-Texas Railroad Company, and Union Pacific Railroad Company.

Commodities involved: Grain, grain products, and seeds, carloads.

Between: Points in Kansas and Oklahoma.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates; D. Q. Marsh's tariff I. C. C. No. 3942, Supp. 10.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7201; Filed, June 22, 1951; 8:50 a. m.]

[4th Sec. Application 26186]

VARIOUS COMMODITIES FROM POINTS IN TRUNK-LINE AND NEW ENGLAND TERRITORIES TO SOUTHERN TERRITORY

APPLICATION FOR RELIEF

JUNE 20, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to their respective tariffs I. C. C. No. A-911 and I. C. C. No. 580, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities, carloads.

From: Points in trunk-line and New England territories.

To: Points in southern territory.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-7202; Filed, June 22, 1951; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-180, 59-94]

GREEN MOUNTAIN POWER CORP.

ORDER AUTHORIZING INITIAL BOARD OF DIRECTORS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of June A. D. 1951.

Green Mountain Power Corporation ("Green Mountain"), a public utility subsidiary company of New England Electric System ("NEES"), a registered holding company, has filed an application requesting authorization by this Commission of its initial Board of Directors. Green Mountain's plan of reorganization provides that the company's initial Board of Directors shall consist of nine persons, of whom not more than four shall be officers, employees or counsel of Green Mountain and none of whom shall be a representative of NEES; that not less than two of said directors shall be residents of the State of Vermont; and that if prior to the date of consummation of the plan there has been sufficient agreement upon the initial Board of Directors among the security holders of Green Mountain and if the Board so agreed upon shall afford sufficient representation among such security holders, sufficient in either case to meet the approval of this Commission, such Board shall take office on said date of consummation.

Green Mountain and the Committees representing the holders of more than 50 percent of its preferred stock having agreed upon the persons submitted to

constitute the initial Board of Directors and it appearing that said Board affords sufficient representation among Green Mountain's security holders and complies with the terms and provisions of the plan:

It is hereby ordered, That said application with respect to the initial Board of Directors of Green Mountain, filed pursuant to the terms and provisions of its plan of reorganization under section 11 (e) of the Public Utility Holding Company Act of 1935, be, and the same hereby is, granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7205; Filed, June 22, 1951; 8:51 a. m.]

[File Nos. 54-180, 59-94]

GREEN MOUNTAIN POWER CORP.

MEMORANDUM OPINION AND ORDER APPROVING PRICE AND SPREAD

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 18th day of June A. D. 1951.

The Commission, by order dated May 3, 1951, approved the amended plan of reorganization of Green Mountain Power Corporation ("Green Mountain"), a public utility subsidiary company of New England Electric System, a registered holding company. Said plan provides, among other things, for the sale of 104,094 shares of new common stock to the public for cash, subject to subscription and over-subscription rights by the holders of Green Mountain's presently outstanding preferred stock. Said order granted Green Mountain's request for an exemption from the competitive bidding requirements of Rule U-50 promulgated under the Public Utility Holding Company Act of 1935. In addition, it reserved jurisdiction with respect to, among other things, the price, spread and maintenance of competitive conditions in connection with Green Mountain's proposal to sell new common stock for cash and the reasonableness of all fees and expenses in connection with this proceeding. Subsequently, by order dated June 4, 1951, the United States District Court for the District of Vermont approved the plan and directed Green Mountain to carry out its terms and provisions.

On June 18, 1951, Green Mountain filed an application herein, and the hearings were reconvened in connection therewith, for the purpose of completing the record with respect to the price to be paid Green Mountain for the new common stock and the underwriting commission to be paid by Green Mountain.

The record shows that Green Mountain invited sealed bids from nine underwriting firms. This invitation stated that all bids would be opened at 3 p. m., e. d. s. t., June 15, 1951. However, the only bid received was a bid submitted by Kidder, Peabody & Co. acting for itself, Allen & Co., and Townsend, Dabney & Tyson. Thereupon Green Moutain decided to return this bid unopened and enter into negotiations with Kidder, Peabody & Co., reserving the right to negotiate with all firms which had evidenced an interest in the proposed sale of common stock. The record further shows that, after further negotiations with Kidder, Peabody & Co. representing itself, Allen & Co., and Townsend, Dabney and Tyson, Green Mountain entered into a contract with such firms on the following basis:

1. A price of $13 per share of common stock, as the amount to be paid to Green Mountain.

2. A stand-by fee of 33 cents per share on the entire 104,094 shares of common stock proposed to be sold, said fee to be paid by Green Mountain to the underwriters.

3. The following underwriting commissions to be paid by Green Mountain for each share of Common Stock acquired by the underwriters. If the number of such shares be not more than 12 percent of the 104,094 shares proposed to be issued—30 cents per share; if more than 12 percent but not more than 25 percent—45 cents per share; if more than 25 percent but not more than 51 percent of such shares—60 cents per share; if more than 51 percent of such shares—75 cents per share.

Green Mountain states in its application that the firm of Messrs. Choate, Hall & Stewart of Boston, Massachusetts, has been selected as independent counsel for the underwriters and, for services rendered and to be rendered, said firm requests approval of its fee and expenses estimated not to exceed $5,000 and $500, respectively. According to the underwriting agreement said fee and expenses will be paid by the underwriters.

The Commission has examined the record herein and finds no basis for imposing terms and conditions with respect to the proposed sale of common stock. The fee of $5,000 and the estimated amount of $500 as reimbursement for expenses of counsel for the underwriters does not appear to be unreasonable. The reservation of jurisdiction with respect to all other fees and expenses in connection with the amended plan of reorganization of Green Mountain will continue.

It is therefore ordered, That the jurisdiction, heretofore reserved with respect to the price, spread and maintenance of competitive conditions in connection with the proposed sale of new common stock be, and the same hereby is, released and said application of Green Mountain, be and the same hereby is, granted, subject to the terms and conditions prescribed in Rule U-42.

It is further ordered, That jurisdiction, heretofore reserved with respect to the payment of legal fees and expenses to counsel for the underwriters in connection with the proposed sale of new common stock be, and the same hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-7206; Filed, June 22, 1951; 8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17966]

K. INOUYE

In re: Debts owing to the personal representatives, heirs, next of kin, legatees and distributees of K. Inouye, also known as Kiyoshige Inouye, deceased. D-39-18857-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees, and distributees of K. Inouye, also known as Kiyoshige Inouye, deceased, who there is reasonable cause to believe are residents of Japan are nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. Those certain debts or other obligations of the American Express Company, 65 Broadway, New York, represented by thirty (30) Travellers Checks, issued by the aforesaid company, said checks having an aggregate value of $400.00 and numbered as set forth below:

C6245510/519
L6377950/959
J5798770/779

together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid Travellers Checks, and

b. That certain debt or other obligation of the Treasury Department, Washington, D. C., in the amount of $23.10 as of August 23, 1945, presently on deposit in a Trust Fund Receipt account, Account No. 148881 entitled "Unclaimed Moneys of Individuals Whose Whereabouts are unknown" on Warrant No. 1052, dated March 10, 1948, maintained with the aforesaid Department, together with all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the personal representatives, heirs, next of kin, legatees and distributees of K. Inouye, also known as Kiyoshige Inouye, deceased, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of K. Inouye, also known as Kiyoshige Inouye, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be

treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7209; Filed, June 22, 1951; 8:52 a. m.]

[Vesting Order 17954]

ROSAMOND DOVE BLANCHARD ET AL.

In re: Trust agreement dated October 26, 1903, between Rosamond Dove Blanchard, grantor, and John A. Blanchard and Francis C. Welch, trustees. File No. F-28-7310.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Laura Irene Elisabeth Helene von Courten, Selina Bertha Olga Rosamond Annemarie Rommel, Nicholus Theodor Hans Jurgen Rommel and Candida Eleonore Elisabeth Charlotte Rommel, who on or since the effective date of Executive Order No. 8389, as amended, and on or since December 11, 1941, have been residents of Germany are nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, in and to and arising out of or under that certain trust agreement dated October 26, 1903, between Rosamond Dove Blanchard, grantor, and John A. Blanchard and Francis C. Welch, trustees, presently being administered by John A. Blanchard and Richard Bancroft, 10 Glenridge Road, Dedham, Massachusetts, as Trustees, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That the national interest of the United States requires that the persons named in subparagraph 1 hereof be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7208; Filed, June 22, 1951; 8:52 a. m.]

[Vesting Order 17971]

TOHO ELECTRIC POWER CO., LTD.

In re: Bank accounts owned by Toho Electric Power Company, Ltd., also known as Toho Denryoku Kabushiki Kaisha, or its successor, Japan Electric Generation & Transmission Co., Inc. F-39-961-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Toho Electric Power Company, Ltd., also known as Toho Denryoku Kabushiki Kaisha, and its successor, Japan Electric Generation & Transmission Co., Inc., the last known addresses of which are Tokyo, Japan, are corporations, partnerships, associations or other business organizations, organized under the laws of Japan, and which have or, since the effective date of Executive Order 8389, as amended, have had their principal places of business in Tokyo, Japan, and are nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. All right, title, interest and claim of any kind or nature whatsoever of Toho Denryoku Kabushiki Kaisha (Toho Electric Power Company, Limited) and its successor, Japan Electric Generation & Transmission Co., Inc., in and to a certain bond redemption account on deposit with Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, entitled "Toho Denryoku Kabushiki Kaisha (Toho Electric Power Company, Limited) First Mortgage (Kansai Division) Sinking Fund 7 percent Gold Bonds, Series A, due March 15, 1955", maintained with the aforesaid trust company, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising out of a coupon deposit account, entitled "Toho Denryoku Kabushiki Kaisha (Toho Electric Power Company, Limited) First Mortgage (Kansai Division) Sinking Fund 7 percent Gold Bonds, Series A, due March 15, 1955", maintained with the aforesaid trust company, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising out of a note redemption account, entitled "Toho Denryoku Kabushiki Kaisha (Toho Electric Power Company, Limited) 3-year 6 percent Gold Notes, due July 1, 1932", maintained with the aforesaid trust company, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same, and

d. That certain debt or other obligation of Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, arising out of a coupon deposit account, entitled "Toho Denryoku Kabushiki Kaisha (Toho Electric Power Company, Limited) 3-year 6 percent Gold Notes, due July 1, 1932", maintained with the aforesaid trust company, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Toho Electric Power Company, Ltd., also known as Toho Denryoku Kabushiki Kaisha, or its successor, Japan Electric Generation & Transmission Co., Inc., the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7210; Filed, June 22, 1951; 8:53 a. m.]

[Vesting Order 17973]

MARGARETE WEIGAND

In re: Claim of Margarete Weigand. F-28-31472.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Margarete Weigand, whose last known address is Hohenzollernstr, 83, Koblenz, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Any and all rights and claims of Margarete Weigand to January 1, 1947 under the Social Security Act, approved August 14, 1935, as amended (Pub. Law 271, 74th Cong., 1st Sess. 49 Stat 620) arising out of the death of Kurt F. Weigand, deceased, and identified by Social Security Claim Number 102-01-8889-G-1, together with any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on May 31, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-7211; Filed, June 22, 1951; 8:53 a. m.]